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THE PROHIBITION MOVEMENT IN CALIFORNIA, 1848-1933

BY
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PREFACE

California entered the Union in the midst of the first national wave of prohibition, and temperance men went to work at once to transform the saloon-ridden gold rush society into a teetotaling community. They never reformed the San Francisco–Sacramento "whisky strip," but after the Los Angeles land boom of 1887 the temperance movement in the state was strengthened, year by year, by the flood of prohibition-minded Americans pouring into southern California from the East and the Midwest. By the eve of national prohibition a state-wide majority vote for prohibition was only narrowly averted by the landslide wet vote of the city of San Francisco.

The development of two distinct societies in California north and south of the Tehachapi Mountains gives a special interest to the study of the prohibition movement in the state. In the cosmopolitan, Catholic north and the native American, Protestant south, temperance men fought much the same fight to widely different conclusions. The sectional division was not the usual one of the dry country against the wet city, for Los Angeles remained the center of the temperance movement in the state, while in the north the counties of the San Francisco Bay Area, with San Francisco itself, remained belligerently unreconstructed.

California temperance men claimed several minor distinctions for the state, including the only Prohibition-party Congressman ever elected in the nation, the Prohibitionist presidential candidate who received the largest popular vote in the history of the party, and the California wine industry, which gave local temperance men the sense of having a special mission in the antiliquor fight. The major developments all started elsewhere, however, and the California movement was in large part a series of attempts to achieve at once throughout the state what was currently being achieved in Maine or Kansas or Ohio. The state distinguished itself in the great variety of results which these uniform attempts produced within its borders, until with repeal a fair degree of wet uniformity was successfully imposed upon it.

The outspoken temperance men have left behind plentiful records of their activities, particularly in temperance and religious periodicals; and innumerable visitors to California in the early period found the conditions resulting from the drink evil of sufficient interest in themselves to invite comment. For the period of the prohibition movement's greatest success after 1910 the private papers of leading figures in the

movement—Chester Rowell, Arthur Arlett, John Randolph Haynes, and Franklin Hichborn—are available. Of these collections, much the most useful is the large collection of correspondence and pamphlet material amassed by Hichborn in the course of his temperance activities, which continued from 1909 to well after the repeal of the Eighteenth Amendment. The collection, recently transferred from the Haynes Foundation in Los Angeles to the University of California at Los Angeles, is especially full for the years from 1915 to 1920, giving, in particular, a detailed picture of Anti-Saloon League activities. In addition, Hichborn's unpublished "California Politics, 1891–1939" is a mine of information, much of it bearing on the subject of prohibition. No comparable material is available for the wet activities in the state; the most useful single source is the *Pacific Wine and Spirits Review,* of which an almost complete file from 1880 to 1915 is in the San Francisco Public Library. The private papers of the late State Senator George T. Hatfield, recently acquired by the Bancroft Library at the University of California, Berkeley, where the Arlett and Rowell papers are also housed, contain revealing evidence concerning prohibition enforcement for the years 1925 to 1933, when Senator Hatfield was United States Attorney in San Francisco.

I wish to thank especially Dr. Robert Burke of the Bancroft Library, who suggested the subject to me and who aided me generously and usefully in my research; Miss Anne Mumford of the Haynes Foundation; Mr. Carroll D. Hauser of Berkeley, who examined the Hatfield papers for me; Miss Dorothy H. Huggins of the University of California Press; Professor John D. Hicks, under whom the study originally was written as a doctoral dissertation; and the helpful staffs of the Bancroft Library, the Haynes Foundation, the San Francisco Public Library, the State Library in Sacramento, and the Pacific School of Religion in Berkeley.

G. M. O.

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Chapter I

GOLD RUSH TEMPERANCE, 1849–1858

Gold rush California, the hardest-drinking society in the world according to some, joined itself in 1850 to a United States which was hurrying toward total prohibition. When state-wide prohibition, first instituted in Maine in 1846, was made enforceable by the Maine Prohibitory Liquor Law of 1851, the event was comparable to the news of gold in California in the exciting sense of discovery which it aroused in the nation. The whole course of the temperance movement changed with the passage of the Maine Law. Until then the movement had been a primarily spiritual crusade striving for the millennium of universal personal abstinence; from that point forward it became primarily a political campaign directed toward an ultimate goal of universal legal prohibition. Liquor control laws had been passed in America from the earliest colonial times, and local-option laws had been voted into many communities in the twenty years before the passage of the Maine Law, but temperance leaders had refused to consider legislative restriction the best hope for their cause. Rather, they placed their faith in spiritual inspiration and rational argument and the spread of voluntary temperance associations. From the Maine Law to the Eighteenth Amendment this campaign to convert the consumer continued only as a side activity in the major campaign against the producer and the distributor.[1]

Maine Laws were passed in Massachusetts, Vermont, Rhode Island, and the Territory of Minnesota in 1852; in Michigan in 1853; in Connecticut in 1854; and in New York, New Hampshire, Delaware, Indiana, and the Territory of Nebraska in 1855. In that year John Marsh, corresponding secretary of the American Temperance Union, wrote that universal victory was in sight.

> Not a State has retracted from the high stand it has taken; while in other States the leaven of reform is powerfully working. . . . The North will give up, and the South keep not back; and men in other countries are already hailing and welcoming this as one of those great moral revolutions which occur, under God, in the course of ages, to root out sin and sorrow, and usher in millennial glories.[2]

As it turned out, the climax had been reached with the prohibitory legislation of 1855. Temperance forces did well to hold what had already been won, as America passed through Civil War, Reconstruction, and the postwar Gilded Age, and it was twenty years before the movement regained the momentum of the early 'fifties.

Neal Dow, creator of the Maine Law, observed that Maine had been one of the most drunken states in the Union before his law went into effect. It was an observation which might have comforted California temperance men, for the vast quantities of liquor consumed in California and the colorful circumstances of its consumption were themes constantly repeated in travelers' accounts. So phenomenal were the drinking habits of Californians that peculiarly thirst-giving properties were attributed to the California climate. The climate was also believed to be particularly conducive to delirium tremens, "a very common disease in California." It was also noted that, despite the amount of actual drinking, very little drunkenness was to be seen. One traveler through the mining country wrote that he saw but one drunken man during the trip, and that that man had been an object of surprise and concern to his fellows. As a rule, the early Californians appeared to have the capacity of Norse gods.[3] That they apparently had such a capacity was admitted by a Protestant minister in an essay on temperance, but in reality, he maintained, the situation was hideously different.

> It is alleged, indeed, that men need more stimulus, and will endure it better, in our climate, than elsewhere, and that to drink is not pernicious here. So it has seemed. Yet it has been only seeming. In no country is drunkenness so deadly, and so rapid in its destruction as here. We see few habitual drunkards, because they plunge into their graves so quickly. No confirmed drunkard has a lease of six months. . . . Men are dying every day of delirium tremens. . . . It is our bane and curse as nothing else is.[4]

If there were differences of opinion about drunkenness in California there seems to have been general agreement with the minister's account of the drinking habits of the people.

> Nine tenths of our population, male and female, sip, drink, or guzzle. The learned and the stolid, old men and mere boys, the rich men, the penniless, and even the prisoners, all drink, drink from morning till night, and from night till morning. Such quantities of fluid, taken daily into the system, were it nought but milk and water, would destroy the constitution in a few years. . . .[5]

The spectacle of judges, magistrates, constables, and lawyers coming to a saloon on Sunday "to unbend themselves" failed to edify him,[6] as it failed to edify Hinton R. Helper when he found, in the Blue Wing bar in San Francisco, "the governor of the State seated by a table surrounded by judges of the supreme and superior courts, sipping sherry cobblers."[7] And the *Daily California Chronicle* noted that "the Bench requires something more than bleared eyes and fetid breath, something more than the fag ends of drunken revels."[8]

The charges that the ermine was not proof against the alcoholic California climate were also applied to the cloth. A spectacle so satisfying to the sinful as a drunken, gambling preacher would naturally create rich legends from meager facts. Such, perhaps, was the often-repeated story of the minister, who, on losing his whole fortune at faro, looked up from the table for the first time to recognize the dealer as a fellow minister from his own church. There are, however, actual accounts by ministers which tell of colleagues who took to drink or to the selling of drink on coming to California. And some clergymen felt it necessary to exhort their colleagues as well as their flocks against the drink evil.[9]

An obstacle to the temperance movement in California as great as the prevalence of the drinking habit itself was the tradition which developed in these years of tolerance toward the wild actions of others. Public opinion, as Josiah Royce wrote, "believed in a sort of irreligious liberty that considered every man's vices, however offensive and aggressive they might be (short of crime), as a private concern between his own soul and Satan." If such an attitude was at cross-purposes with the old-fashioned personal abstinence movement, it struck the newer movement for legal prohibition head on. Royce warned of the danger of trusting "the more irresponsible reminiscences of forgetful pioneers" whose "boastful memory revels in scenes of sanguinary freedom, of lawless popular frenzy, of fraud, of drunkenness, of gaming, and of murder." The character of these boasts is, however, itself an indication of the strength of this tradition of tolerance toward a wild-western morality in California generally, and particularly in San Francisco. This tradition remained an obstacle to the temperance movement long after the end of the gold rush era. The historian of California Theodore H. Hittell wrote in the 1890's that "the temperance advocate finds in California to this day, and in great part as a result of the license of earlier days, as much excuse for existence and toleration, perhaps, as in any other part of the United States."[10]

The familiar names of the leading San Francisco saloons of the gold rush era—the Bella Union, La Sociedad, El Dorado, the Empire, the Parker House, and the Veranda—call to mind this old tradition. These were the most successful and lavishly furnished gambling saloons of the day, with lush carpets, large mirrors, and elegant chandeliers, the walls covered with large paintings of naked women. They had their counterparts in all the mining towns.[11] The Reverend Mr. Benton wrote of a typical first-rate mining-town saloon:

Here was one of the stateliest buildings the place could boast. Two rooms took up the whole of the lower story. The front one was a lounging, or sitting room, with a bar in it; and the back one was a dancing room. . . .

In that rear apartment were miners and others, with no gay clothing on, nor thin slippers, with unkempt hair, and long beards, stamping through the dance with wildness and abandon, amid clouds of dust, and such companions as vulgar, smoking, spitting, painted, swearing females can make.[12]

Lower on the scale of luxury were the gambling saloons "opened under tents, the patrons standing up to their knees in mud. The round tent contained eight tables. . . . The rain did not dampen the ardor of the operators, but caused them to treat more frequently, which gave them more ready access to their victims."[13]

The gambling saloons, which seemed to consume the wealth of the state in the early days of the gold rush, rapidly died away after the first few flush years. "Gambling has decreased five hundred per cent. in the past twelve months and what is left is comparatively screened from public view," declared the *California Christian Advocate* in 1852. By the mid-fifties, according to one observer, there were only two or three gambling saloons still extant in San Francisco. Plain drinking saloons, however, continued to flourish and increase. Among the licensed establishments in San Francisco in 1852 were 350 barrooms, 18 gambling houses, and 27 dancing and fandango houses, as well as 110 hotels, restaurants, and public boardinghouses, where liquor usually was dispensed. With a population of approximately 36,000, San Francisco had one legal saloon for every hundred people, not counting the many additional liquor-dispensing establishments, and it was reputed to have proportionately the greatest number of drinking places of any city in the world.[14]

The variety of saloons in San Francisco reflected the cosmopolitan character of its population. There were, according to a British traveler, "numbers of second-rate English drinking-shops where John Bull could smoke his pipe and swig his ale coolly and calmly, without having to gulp it down and move off to make way for others, as at the bars of the American saloons." The Germans, he said, had their beer cellars, "but the noise and smoke which came up from them was enough to deter anyone but a German from venturing in."[15] Socially the most respectable saloon in town was the one established in 1852 by T. A. Barry and B. A. Patten. "This concern differed materially from all others of the kind in the city," according to the contemporary *Annals of San Francisco.*

The rooms were fitted up in the most superb and costly manner. Gambling was entirely excluded, and no lewd paintings decorated the walls . . . chaste oil paint-

ings . . . rich gilt frames. Splendid lamps . . . Large mirrors . . . The finest and most delicate wines and liquors only . . . in no other city could be found a more attractive place of the kind. . . . This house immediately became the resort of the most respectable gentlemen of San Francisco.[16]

Elsewhere the business of retailing liquor was done with no more paraphernalia than a keg of whisky, but "American" saloons in general had certain definite characteristics which set them apart, not only from the "foreign" saloons of their own time but also from the bars which developed after the repeal of the Eighteenth Amendment. The customer measured out his own drink, even in the lowest of the saloons, the saloonkeeper producing a bottle and a tumbler for the price of a drink. The price was the same however much the customer poured into his tumbler. The incentive to drink heavily if one drank at all was great. Another custom, that of treating, was a still greater incentive to heavy drinking. "No one ever thinks of drinking at a bar alone," Borthwick observed. "He looks around for some friend whom he can ask to join him; it is not etiquette to refuse, and it is expected that the civility will be returned." Solitary drinking was universally considered mean and unworthy of a good fellow. If a man happened to be the only customer in a saloon, custom dictated that he invite the bartender to join him in a drink. If twenty men spent the morning in a saloon, and the drinks went for only nineteen rounds, it was a mathematical certainty that one man had failed to live up to the standards of the community. It was as bad form for a man to refuse drinks as it was for him to neglect to stand his turn. This code of barroom chivalry was rigidly adhered to, particularly among the social groups least able to afford it, down to the passage of the Eighteenth Amendment. It was widely believed to have contributed more toward intemperance than any other circumstance of drinking.[17]

Another institution, the free lunch, established itself in San Francisco in 1850 and survived an early attempt of the saloonkeepers themselves to abolish it. Fifty or sixty keepers of the more fashionable saloons joined together in November, 1854, and organized a committee which recommended the abolition of the free lunch. Saloonkeepers in general, however, ignored the recommendation, and the institution continued. Beginning modestly with the laying out of crackers and cheese by the saloonkeeper for his customers, the free lunch rapidly developed, under pressure of competition, into complete dinners—soups, fish, meats and side dishes, all available to the customer who purchased a single drink. Since free breakfasts and free dinners were included within the mean-

ing of the term "free lunch" a man might solve the whole problem of meals by spacing his drinking throughout the day. It has been estimated that at least five thousand men relied for their sustenance on this institution in San Francisco alone.[18]

The lack of strict government regulation of the liquor industry further aggravated the drink problem in the gold rush period. A manual for bartenders, published in San Francisco in 1867, encouraged the bartenders to manufacture their own liquors and included a list of recipes which "contain no poisonous articles." "All the ingredients," the writer promised, "can be obtained in any large drug store, and from these recipes liquors can be made at an average cost of seventy-five cents per gallon; the finest imitation of French brandy at $2, such as costs at present, when imported, $7." The manual also gave directions for making whisky, gin, wine, and rum. Saloons throughout California, by operating twenty-four hours a day, seven days a week, and doing their best business on Sundays, gave the temperance people further cause for alarm.[19]

A drinking phenomenon known as the "spree," or "burst," was noted particularly in connection with the mining communities. These marathon drinking bouts, sometimes purposefully entered into, sometimes the natural development of a series of treating exchanges, would continue for as much as forty-eight hours without a break. To a stranger's comment on the lateness of a party at a tavern at Rich Bar, the landlord is reported to have replied, "It's a little late this morning, perhaps, for night before last, but for last night, why bless you, it's only just in the shank of the evening!"[20]

In the early days of the gold rush the extraordinary popularity of the saloons was attributed partly to the loneliness of the men and the bleak quality of life outside the saloons; but as life became more settled and comfortable, no marked falling off in the saloon trade was noticed. Mrs. Lewis Gunn of Sonora wrote her mother in 1852:

> You never saw such actions as they have here. One man said Sonora is a perfect hell, and so it is. Today is election for mayor; I sent the boys to get me some matches, and they went by a house where a well-dressed woman was lying dead drunk on the floor, and lots of men there—the doors wide open so every one could see. In the gambling saloons are pictures of naked women, and women half dressed, dancing on tables. I never saw a place where there was so much need of teaching and preaching and living as we ought to live.[21]

Facing this host of evils was a thin line of ministers, woefully inadequate to the immediate challenge but confident in the faith that morality

and sobriety would prevail at last. So acute was the moral crisis in the first year of the gold rush that Catholic priests and Protestant ministers coöperated cordially in the fight against social evils, including intemperance. This period of coöperation did not last beyond 1850, however, although individual Catholic priests did occasionally ally themselves with the temperance movement thereafter. The Protestant denominations continued to work together in the great battle for moral improvment, and everywhere intemperance confronted them as the central weakness in the moral structure of society. The Baptist *Pacific Banner* declared that the work of redeeming the drunkard was next in importance to the salvation of souls, and in the mining area the Reverend Isaac B. Fish wrote in his journal that drunkenness was "the greatest obstacle to moral improvement" in his circuit.[22] The Reverend D. A. Dryden wrote in 1851: "I may be thought mistaken or speaking unadvisedly in saying that Drunkenness is a favorite evil of California, but it is true—painfully true ... from the multitude is heard the Ephesian cry, Great is Bacchus, *god* of the Californians."[23]

Fired by the belief held increasingly by some Protestant sects that sobriety was a necessary condition to salvation, some ministers, within the limits of their energies, neglected no opportunity to bring home to the people of California the urgent need for temperance reform. Thus, Isaac B. Fish, attending the execution of a murderer who blamed liquor for his crime, improved the occasion by lecturing the audience on temperance, pending the springing of the trap. In particular it was the Methodist and Baptist churches which carried the temperance cause in this period, with some assistance from the Congregational and Presbyterian forces.[24]

One Methodist minister declared that as late as 1855 he traveled nearly a week through the mines without the privilege of any Christian association. He then found a solitary Christian—and a poor one at that, who worked on Sunday—after which the minister again traveled nearly a week before finding another. That stretch of country must have been either unpopulated or unusually godless, for throughout the mining country church groups were organized early in the gold rush period. Sarah Royce's family, on settling in a mining town, found themselves "at once in contact with a number of very good Christian people." And Mrs. Lewis Gunn wrote her mother from Sonora in 1852 that "there are some good Anti-Slavery and Temperance men here." She added, however, that "there are many here of a different sort, lawyers and merchants who gamble and go to houses of ill fame and keep mistresses,

mostly Mexican women." A visitor in a mining community wrote in 1853 of a temperance celebration attended by forty or fifty women. He was amazed to see so many refined ladies assembled in a setting that seemed so wild. "How did they ever get up here in the mountains? With such female influence society must be of a superior order in Grass Valley. As well might you look for darkness at midday as a debased state of society where there are so many virtuous, intelligent females." Hard drinking was the rule in early California, settled as it was predominantly by young, single, wandering men; but from the first there were conservative social elements which, as Josiah Royce pointed out, are likely to escape notice in the study of a time of great activity. The considerable success of the temperance movement in the first five years of California's statehood indicates that the society contained a rather large sober element.[25]

California's first temperance meeting was held in San Francisco on January 5, 1849. The chapel was filled with men, and eighteen of them signed the American Temperance Union pledge of abstinence. So drunk was the first man who signed it that he made his way to the desk only with difficulty. The following week Timothy Dwight Hunt, a Presbyterian minister, organized the Washingtonian Temperance Society of San Francisco, assuming the office of chaplain in the organization.[26]

The national Washingtonian movement, organized by six drinking men who took the pledge in Baltimore in 1840, and directed primarily toward the enlistment of drinking men who would take the pledge, had enjoyed an explosively startling and brief success throughout the nation. Many thousands took the pledge as independent Washingtonian societies were formed across the nation, getting up parades, singing songs, and setting drunkards to catch drunkards. The societies dropped as rapidly as they shot up. Lacking any central organization to direct their fight, they were attacked for their lack of religious motivation, but even more for their refusal to support the cause of legislation against the liquor traffic, a cause which was then beginning to receive the support of a large part of the temperance forces. The organizational weakness was met in 1842 by the formation among New York Washingtonians of the highly centralized Sons of Temperance. Originally divided over the issue of temperance versus prohibition, and under attack on the grounds that it was a secret and therefore undemocratic organization, the Sons of Temperance became, by the time of the gold rush, the leading fraternal temperance organization in the nation. Nationally the strength of the Washingtonian movement was spent by 1843. The

San Francisco organization lapsed after a few months and its place was soon taken by the then dominant national temperance organization, the Sons of Temperance.[27]

The first San Francisco division of the Sons of Temperance, organized in September, 1850, enjoyed an early but limited success. The celebration of the first anniversary included, according to the *California Christian Advocate,* "good music, good banners, good badges, beautiful rosettes and good speeches . . . a good dinner, but few people"; and in one address the part relating to the ladies was omitted because only four or five women were present. A warm contrast was presented seven months later, on the occasion of the dedication of the new Sons of Temperance hall: "The room was filled with the members and the ladies who accompanied them . . . dedicatory services . . . an excellent address . . . Numerous odes. . . . The company was highly gratified with the proceedings, which were conducted in a finished and impressive style. The large attendance of ladies added greatly to the interest of the occasion."[28] By that time two divisions of the Sons had organized in the city with a membership of about three hundred, and a third division was being contemplated. By 1854 the organization had increased to four divisions, with a total membership of about five hundred.[29]

The Sons enjoyed a similarly unspectacular but definite success throughout the state. In Sacramento a society was formed in 1850, and in the next four years forty divisions were organized in the state, with a total membership of about 2,500, not counting the women, who, while not actually members, took a leading part in the organizations' activities. In September, 1851, the divisions organized a Grand Division of the Sons of Temperance of California and elected as officers, among others, O. C. Wheeler, the leading Baptist minister of California, M. C. Briggs, the leading Methodist minister, and John T. Bidwell, the man who was in time to become the candidate of the Prohibition party for President of the United States.[30]

The Sons of Temperance was primarily a social organization whose stated purpose was the reclaiming of the inebriate, the rescuing of the moderate drinker, and the saving of youth from the power of the drink habit. An official account of the organization declared:

> While classed among the "secret" temperance societies it is destitute, in its mystic features, of sign, grip and degree. The ritual service is brief, including admonitions from the word of God, elevating moral precepts and the melody of music. . . . It is a voluntary association, with just and explicit laws, and yet without power of enforcing an unwilling obedience.[31]

Developing out of the Washingtonian Society, the nation-wide organization retained many of the features of the parent group: Washington's Birthday celebrations, parades, group singing, and the recitation of temperance odes. In a typical celebration in Nevada City the Sons of Temperance marched through the streets to the Methodist church, where a group of women presented them with a Bible. After the ceremony there was dinner and dancing, which proved eloquently, as was later reported, that Bacchus "is not needed even in California to give a happy hilarity to such social gatherings." Unexceptionable as its activities appear to have been, the Sons were classed, technically at least, with the Masons and other secret fraternal orders, and for that reason could expect no support from the Catholic Church. A similar secret benevolent organization was condemned by the Church in 1850; and the Sons of Temperance, because of its affinity to the condemned organization, was proscribed by the Diocesan Synod of 1862.[32]

The objection also had been made against the Sons of Temperance that membership in the organization served for some members as a substitute for membership in a Christian church. So far as the evangelical Protestant denominations in California were concerned, however, this objection carried no weight at all in the early period. The ministers worked as closely as possible with the divisions of the Sons, lending their churches for meetings places, serving as officers in the organization, giving space in the religious newspapers for announcements of activities, and devoting much time to speaking before meetings of the Sons. Israel S. Diehl, a Methodist minister, was elected Grand Chaplain of the Grand Division of California in 1853 and was given a nominal appointment by the church so that he might devote himself wholly to the cause of temperance. Diehl worked energetically in towns throughout the state in the service of the Sons. When, however, it appeared that he intended to continue this work indefinitely rather than settle down to a pastorate, the church discontinued his appointment, in 1857. As a Methodist committee on temperance reported to a later California Methodist Conference, the churches were the force that gave the Sons of Temperance its direction and sustained energy in the early years.[33]

The high quality of the membership of these temperance groups was a matter for comment. "I was forcibly struck with the intelligence, refinement, and thorough gentility of the company," a visitor wrote of the Snowy Mountain Division of the Sons of Temperance, Grass Valley.[34] M. C. Briggs, a Methodist minister and devoted temperance worker, wrote a friend to the same point in 1851: "Night before last I

delivered a temperance address in San Francisco to one of the most Enlightened audiences I have ever seen. Judge Barton followed me in a manner brilliant and powerful beyond anything I have witnessed. The meeting passed off with great eclat, and left an impression not soon to be effaced."[35] It may be wondered, however, whether Briggs, in addressing the "enlightened" audience, was reaching those who would be able to make the best use of his address. The uniform excellence of temperance audiences was noticed with less enthusiasm by another minister:

"Do you say: Get up societies? The Sons of Temperance are doing what they can. Other organizations have been had; but they embrace only such as were staunch temperance men all the while. The mass will not go near them."[36]

Church participation in the activities of the Sons and the strength of the organization itself were both greater during the first half of the 1850's than during the second half. In 1859 the total membership of the Sons showed an increase of only 500 over the 2,500 who were on the roster five years earlier. The Methodist Episcopal committee on temperance for the California Conference of that year, after praising the Sons for their good work, continued:

> Yet at the same time we must feel that religious principles and true piety, the results of the acceptation of Christianity in its purity, are the only foundations upon which a securely permanent temperance character or organization can be built. . . . In confirmation of these assertions we may point to the fact that the largest temperance organization of our State saw its palmiest days when its offices were filled with preachers of the Gospel and when this class of men took a deep interest in its affairs. . . . it cannot be doubted that so far as intellectuality, enterprise or energy is concerned, there are many who stood beside them then and occupy their places now, who are their equals or superiors; but these cared not especially for religion while those could not but by precept and example, inculcate through lecture and sermon, and remark, and pressure, the edifying strengthening and life-giving principles of our holy religion. [37]

While the churches continued to lend their support to the Sons and to other temperance organizations, there was an increasing demand within the churches to form a temperance organization of the churches themselves, a demand which was finally met by the forming of the Anti-Saloon League. The Sons of Temperance reached the height of its power in California in 1855. The first lodges of the Independent Order of Good Templars, the organization which was to take the place of the Sons as the leading fraternal temperance organization in California, were formed in 1854. Progress of the Good Templars was slow, however,

and it was not until 1860 that a state-wide Grand Lodge was organized.[38]

That the practice of temperance could be turned into a paying proposition, even in gold rush California, was indicated by the existence of temperance boardinghouses in early San Francisco.[39] More impressive was the success of the Fountain Head, a luxurious ice cream parlor, which, according to a contemporary account,

> became celebrated for its gentility and cleanliness, and more especially by the entire exclusion of all spirituous and intoxicating drinks; while the 'branch' at the corner of Washington and Montgomery streets, would be a creditable establishment in the oldest and best regulated cities.... It is ... conducted on the strictest temperance principles.

The two establishments, employing 100 people, served an average of 3,000 people daily, according to the proprietor. The awe with which their success was viewed, however, implies that they were unique in their success, an implication which is fortified by the fact that, in San Francisco at that time, there were 29 licensed coffee and refreshment saloons to 350 barrooms.[40]

In 1852, at the second annual session of the Grand Division of the Sons of Temperance of California it was unanimously resolved that the organization petition the state legislature to pass a law embodying the essential principles of the Maine Prohibitory Liquor Law. Thus the drive was officially launched which culminated in the state-wide dry referendum of September, 1855.[41]

Passage of the Prohibitory Liquor Law in Maine in 1851 was the call to arms for temperance leaders in California, as it was elsewhere in the nation. "Let God arise," wrote the Methodist *Advocate,* "let his enemies be scattered, and every State become as Maine";[42] while the Congregational *Pacific* prayed that "God give continued courage to Neal Dow, and to all who uphold the MAINE LAW."[43] In November of that year, when Maine elected a legislature pledged to the support of the law, the *Advocate* reprinted the law in full and declared: "As to the Maine Liquor Law, we wish it distinctly understood that we support its principle fully and wholly. We say it is right, just and proper. Whether California is ready for the law the people will determine all in good time."[44] Some indication of the tremendous lift given California temperance forces by the establishment of prohibition in Maine is given by the continual repetition of the phrase "Maine Law" in all temperance discussions in the early 'fifties. Prior to the passage of the Maine Law, temperance leaders, who in the 'forties had been turning in increasing numbers from the disappointments of the personal-abstinence cam-

paigns to the new hope of prohibitory legislation, had been handicapped by the lack of any good precedents on which to base their case. Their arguments were of necessity speculative and general, and they themselves had not been able to agree on the exact form they wished the legislation to take. These difficulties vanished in the face of the fact of the Maine Law. The law was on the books, it had been approved by the state electorate, and it was—so the religious newspapers repeatedly asserted—an unqualified success. There need no longer be any dissension over the form to be taken by the proposed legislation, for all that need be said was that the temperance forces of the state demanded an act similar to the Maine Law.[45] Though the Sons of Temperance had been divided in the 'forties over the advisability of legal prohibition, its Grand Division in California was unanimously in favor of it in 1852. The petition drawn up for the Grand Division was the form generally used by petitioners to the legislature in the next three years:

> To the Honorable Legislature of the State of California.
>
> Your petitioners, residents of California, respectfully pray your honorable body, for the enactment at your session commencing in January, 1853, of a law which shall combine the essential principles of the "MAINE LIQUOR LAW."

The petition, with its usefully ambiguous phrase "shall combine the essential principles," was unanimously adopted and recommended.[46]

The Grand Division session of 1852, despite the feeble showing of its organization throughout the state, was pitched in a defiant key. The session agreed upon two aims—the passage of a Maine Law and the election of sober men to office. The temper of the meeting may be estimated by the words of one of the leading speakers, the Reverend M. C. Briggs, who warned his listeners against electing a judge "with tottering step and trembling hands, with bloated, carbuncled, brandy-scorched visage, the scalding rheum dripping from his swollen, bloodshot eyes, and the ambia of tobacco oozing from his filthy jaws, from which he mutters Billingsgate profanity, and obscene belchings from carrion lungs." On giving this description, Briggs asked the congregation if the people would vote for such a man, and the congregation, "like the voice of many waters," answered "No."[47]

It may be that none of the judges or legislators would have fitted that description exactly, but the tenor of the legislature in 1852 was certainly well below the standards of a Methodist minister such as Briggs. *The Pacific* spoke of the members of the legislature as "loiterers" and "tipplers . . . whose first act was a needless and reckless violation of

the Christian Sabbath by waiting till that day to go to the Capitol. Grave men, discussing for days previous the merits of a cocktail compared with a toddy. . . . It will be a *spirited* session, no doubt!"[48] One of the first acts of the assembly was the rejection of a resolution inviting the ministers of the various churches in Sacramento to officiate in turn as chaplains in the opening of the daily sessions, possibly because of severe remarks made by one clergyman on the previous day concerning the Fugitive Slave Law.

The Sons of Temperance apparently hoped for better results from the 1853 legislature. Two thousand copies of their Maine Law petition were ordered printed for distribution to members of the order as well as to friends of temperance in general. The petitions were in circulation by mid-December and were sent on to the legislature when it convened in the following month. Leader of the fight for the Maine Law in the legislature that year was A. G. McCandless of the assembly, who announced his intention of introducing such a bill and requested temperance people to send him many petitions to aid him in the fight. The pressure built up by the Sons of Temperance, however, had little noticeable effect on the legislature. Even McCandless felt called on to defend himself against charges that he was insincere in advocating the measure, and in his defense he spoke of himself as "standing alone with a few exceptions" in his fight in the assembly. McCandless, appointed to the committee to which the bill was referred, reported back to the House "An Act for the Suppression of Drinking Houses and Tippling Shops" and recommended its passage. It was voted down 14 to 22.[49]

That ended the campaign in the 1853 legislature. In 1854 the Sons returned to the fight with a flood of petitions. The petitions were read and referred to the Committee on Vice and Immorality. An additional standing rule was moved to prevent smoking in the senate, "which provoked an amusing discussion on smoking, chewing, drinking, etc." and was referred to the Committee on Vice and Immorality. "It is indeed a matter of regret," *The Pacific* declared at the close of the session, "that several bills of a wholesome nature were allowed to die . . ."[50]

The year 1855, however, was a banner year for temperance forces in California, as it was in many states in the East. It is difficult to estimate how seriously the prohibition campaign was taken by much of the legislature or by much of the electorate. The fact remains that in 1855, at a time of civic lawlessness and legislative corruption, the temperance men forced a prohibition referendum act through the legislature and in the general election received about 44 per cent of the votes cast on

the measure. That the temperance men considered 1855 the year for the showdown is indicated by the hail of petitions that were pelted into the legislature from all sections of the state. Late in the session, the Senate Committee on Public Morals and Police reported that 2,121 petitions praying for a prohibitory liquor law had been referred to it. The response from one section of the legislature was early and emphatic. In January a bill was proposed to prevent the manufacture and sale of alcoholic beverages. The final section of the bill, as reported in *The Pacific,* provided that the act would be submitted to the people in July. If a majority of the voters voted yes, the law would take effect September 1, 1855; if a majority voted no, the law would take effect January 31, 1856. A prohibitory liquor bill, differing somewhat from the assembly bill, was then introduced in the senate.[51]

In February a bill was introduced in the assembly calling for submission of the prohibitory liquor law to the people of California at the general election. This bill was referred to committee, while the prohibitory liquor bill originally presented in the assembly was submitted to tempestuous debate. The debate is of particular interest because from it emerged the technique which was unswervingly followed by the wets from that time down to the passage of the Eighteenth Amendment—the technique of concentrating attention primarily on the California wine industry, which was an industry of sentimental as well as economic importance in the state. Again and again the liquor people were to find the championing of the locally produced "temperance drink" an extremely valuable technique for dividing the opposition; for once the production and consumption of wine were protected it proved extremely difficult to avoid including practically the entire liquor trade within the scope of the protection. This practice, repeated over and over, was bitterly referred to by temperance men as "skulking behind the grape."[52]

The issue arose in the 1855 legislature when the assembly, before passing its prohibitory liquor bill, moved "that the provisions of this act shall not be made to apply to wine manufactured from grapes grown within the limits of this state." The proviso represented the authentic beginning of this antiprohibitionist tactic. It may surely be said also that the maiden speech in defense of the proposition was never again equalled. An extremely lengthy, rococo defense of the proviso by its author concluded:

> The land of the olive and the vine has always had clinging around it pleasant and delightful recollections. We love to read the tales of travelers through the vine

lands of France and Italy and Spain, and have dwelt with delight upon their descriptions of the pleasures and the merry-makings of the harvest season, when the grapes bursting in their rich and juicy ripeness are gathered by men, and the young and rosy-cheeked children and laughing maidens, and carried in triumphant procession to the wine press, when the prettiest of the little village girls was wreathed with bowers and clusters of the luscious fruit . . . songs and dances . . . innocent pleasures. . . . As Keats in his Ode to the Nightingale has sung, so have all poets in all ages sung.

"O for a draught of vintage which hath been . . ."[53]

The proviso carried 41 to 21, and with it the bill lost the support of its sponsor, who moved its indefinite postponement but was declared out of order by the speaker. The bill passed the Assembly 37 to 16, its original sponsor not voting. It was then passed on to the Senate Committee on Public Morals and Police, where it apparently remained, and in the final days of the session a substitute measure entitled "An Act to Take the Sense of the People of the State in 1855 upon the Subject of a Prohibitory Liquor Law," was agreed upon by the legislature and signed by the governor. The bill passed in the assembly by a vote of 56 to 3.[54]

One reason why the act was passed by so handsome a margin was that it made no provision for action by the legislature in the event that the vote favored prohibition. It simply directed that the sense be taken on a law "the provisions of which shall prohibit the manufacture and sale of all spirituous and intoxicating liquors, except for mechanical, chemical and medicinal and sacramental purposes." "It will be seen that the Act is only a call for an expression of popular opinion," declared the *Daily California Chronicle*. "Nevertheless, it may be well supposed that, if the affirmative vote be the majority, or even a large minority, there is a strong probability that the law will be passed anyhow."[55] The results of the referendum do not appear to have been treated by the antiprohibitionist group as a foregone conclusion, and an Anti Maine Liquor Law Club was organized to fight the issue. More significantly, the two major political parties, Democratic and Know-Nothing, felt impelled to consider the prohibition issue for the first time in their state platforms.[56]

After the dry referendum bill was passed and before the state conventions of the major parties were held, a state temperance convention was called in Sacramento. A resolution adopted at the time declared it "inexpedient for this convention, as the voice of the temperance people of the state, to make nominations for state officers for the coming general state election." Rather, the candidates of the major parties should be questioned concerning their views on temperance legislation,

and these views should be given the widest possible publicity. The original resolution called for the canvass of the personal drinking habits of the candidates; but the convention elected to omit that part of the resolution, a policy generally adhered to in subsequent temperance campaigns. The convention also voted down a resolution to draw up a list of candidates from the combined lists offered by the major parties. It advised the major parties to nominate sober men, appointed a state central committee to question the candidates and publicize their views, and adopted a resolution that failure to vote for the temperance referendum would be construed as a vote against temperance reform. The temperance convention then adjourned to wait the outcome of the major party conventions.[57]

For the Democratic party the temperance issue required delicate handling, since much of the party's voting strength was drawn from San Francisco immigrants, notably the Germans and the Irish, who would certainly be alienated by a strong temperance plank. The Democratic state platform nevertheless did give a nod of recognition to the temperance forces. It stated that, "in the opinion of this convention, the time has come when sober men, and sober men only, should be presented for the suffrages of moral and intelligent freemen." The Know-Nothing party, which was to sweep the California elections that year, was in a better position to make capital of the temperance issue. The only clearly understood stand of the Know-Nothing party was opposition to foreigners, and the temperance movement was supported predominantly by native Americans led by the Protestant clergy. The usefulness of the temperance issue was acknowledged by the Know-Nothing party convention in a resolution, passed by a vote of 185 to 62, "that this convention approve of the temperance reform now going on throughout the state, and that we will nominate none for office but men of high moral character and known habits of temperance."[58]

One week later, temperance men made it clear that they did not consider that either party in its nominations had lived up to the standard of sobriety set forth in its platform. Out of a meeting in San Francisco of the Sons of Temperance and the Good Templars came the call for a new temperance convention in Sacramento the following week, "to nominate candidates which moral, religious and temperate men can consistently support in the ensuing State election."[59] Leaders in the move declared that they were

> driven to this hasty arrangement from the failure of the American [i.e., Know-Nothing] party to meet the demand for reform men, and we are not satisfied with the Democratic nominees. It is time that our laws were so administered as to prevent

resorts to mob-law to secure justice. To attain this object, every gambler, debauchee, drunkard or other immoral person should be excluded from office, especially from the bench of the Supreme Court.[60]

They invited towns and counties of the state to send to the convention all who sympathized with its objects. The move was well timed and strategically excellent for the temperance men. At the outset they appeared to have every hope of nominating candidates who would be elected to office—in particular, candidates for the state supreme court bench. "It is time that the moral sense of California were consulted and obeyed in selecting men for office," declared the *Daily California Chronicle.*

Let no man say that the Temperance vote will be thrown away. It will not. There are at least 20,000 temperance votes in the State. There are many thousands of others who would be glad of the privilege of voting for judges who are fit to be judges. If the right men are nominated, they can be elected. And even if they should fail in this, the moral effect of such action would be worthy of thrice the trouble.[61]

Meeting in Sacramento on August 22, the convention numbered among its delegates some of the leading ministers of the state. A dominant figure throughout the proceedings, from the calling of the meeting by the San Francisco Sons of Temperance to the concluding activities of the state committee appointed by the convention, was S. D. Simonds, a Methodist minister and cofounder, with M. C. Briggs, of the *California Christian Advocate.* Simonds was a fighting minister, who was twice beaten physically by saloon men for his attacks on them in the *Advocate,* and who was twice tried by the Methodist Church for holding unorthodox religious views.[62]

The convention very early showed the effects of its "hasty arrangement" and of its essentially negative character: dissatisfaction with candidates already in the field. It divided itself bitterly at the outset over a preamble and resolution which drew attention, parenthetically, to the temperance character of its origins. A resolution was finally adopted: "That this Convention has met for the purpose of nominating new and independent candidates for the Supreme Court of this State, and we invite all moral, religious and temperate men, who are in favor of such nominations to co-operate with us." The word "new" was stricken out, then restored, and later the phrase "new and independent candidates" was interpreted to mean anyone nominated, whether already in the field or not. "After further random debating and a tediously lengthy harangue from a reverend delegate from San Francisco," six

names were placed in nomination, including the candidates of both major parties. The nomination went to a San Francisco lawyer named S. W. Williams, who won 32 to 11 over the candidate of the Democratic party. On the second day, H. O. Beatty of Sacramento was nominated to fill a short-term vacancy on the supreme court, and nominations were made for California's two Congressional districts on the assumption that the incumbents had not been properly elected since the legislature had never districted the state.[63]

At the close of the convention, Simonds submitted the following resolution, which was adopted: "*Resolved,* That this Convention will vote and invite the people of California to vote—For the Prohibitory Liquor Law—Yes." The convention was divided on the temperance issue. It was also divided between supporters of the Democratic candidate, supporters of the Know-Nothing candidate, and those who felt the convention had been called because neither candidate was suitable. Both the temporary chairman, A. M. Winn, and Simonds took the position that the Democratic candidate was acceptable. The bitter climax came on the second day, when Winn declared he had to leave early but, before going, wished to suggest a name for the party that the convention was then forming: The Democratic–Whig–Know-Nothing–American–Abolition–California party. He wished it to be handed down on the record so that his children might see it. Considerable discontent was aroused by his parting words, and a motion was submitted declaring his proposition to be an insult, but apparently no action was taken on it. The name agreed to by the convention was People's party. A central committee with the power to call future conventions was appointed and the convention then adjourned.[64]

The People's party candidates for supreme court justiceships were enthusiastically received by most of the press. The Sacramento *Union* decided that the convention, after "making a goodly number of ridiculous moves," had nominated excellent candidates who had a good chance of election.[65] Both the *Daily California Chronicle* and the *Alta California* praised and supported the candidates. The nominations for Congressmen, however, roused little comment, the *Union* dismissing them as "boy's play," since the state already had Congressmen, who had been elected in a manner which there was no good reason to question.[66] The San Francisco *Daily News* attacked the convention as a "complete fizzle" and "one of those movements set on foot by cunning politicians, by which zealous, but imprudent men, are made cat's paws of in order to carry out ulterior designs."[67] The charge is substantiated

by the amount of support given the Democratic candidate from the first, it being agreed that he was acceptable in the matter of temperance, at least. By contrast it was complained that the friends of the Know-Nothing candidate had been virtually excluded from the convention.

The People's party, which put two such promising candidates in the field late in August, made one minor reappearance shortly before election day two weeks later and then left the field forever. An announcement, issued ten days after the convention and on the eve of the election, declared that the Democratic candidate for the long-term bench of the supreme court had been nominated by the People's party. It was signed by all but one of the men appointed to the state central committee of the party. The election went to the Know-Nothing candidate, and the People's party passed out of existence. It was twenty years before another temperance issue was again recognized by a political party in its state platform.[68]

The real defeat of the California temperance forces in 1855, however, was not the early death of the People's party, which had been, after all, only a hasty piece of last-minute strategy. The real defeat was the vote on the referendum for the prohibitory liquor law, which the Sons of Temperance had been championing for four years. There could be no doubt that the vote on the referendum was a decisive defeat for temperance, but by actual count of vote it was no landslide. The referendum was defeated, according to a virtually complete count of the votes, 27,414 to 21,891, or by slightly more than 55 per cent. Years later, in 1916, when the powerful California Anti-Saloon League made its supreme effort to win a prohibitory liquor law referendum, it failed to produce as high a percentage of dry votes as was cast in the gold rush era. Antiprohibitionist landslides were recorded in 1855 in San Francisco and Sacramento, where the vote has always been heavily against prohibition, and the town of Los Angeles, destined to become a dry-minded metropolis, voted the measure down 606 to 75. Elsewhere, however, the vote was remarkably even, and the gold-mining counties actually returned a majority for prohibition.[69]

What made the defeat so overwhelming was the fact that half the people who went to the polls did not bother to vote on the prohibition issue at all. Of about 97,000 votes cast for the various candidates only about 49,000 were cast for or against the referendum. Why the referendum drew so light a vote is not satisfactorily explained in the contemporary press. The *Alta California,* which had given the referendum favorable consideration during the campaign, considered the result a clear defeat for temperance, which still would have been a defeat had

every voter been obliged to vote yes or no on the issue. It included among those who failed to vote, however, all "those who are in favor of temperance and yet doubt the expediency of passing a sumptuary law."[70] The extreme lightness of the vote seems to indicate also that many voters simply did not take the referendum seriously, for had it been a real issue, even those favoring temperance but opposing prohibition would have registered a vote against it.

A prohibition referendum was not attempted again in California until 1914, and the temperance issue was virtually excluded from politics for twenty years after 1855. Agitation continued for a new referendum, but the matter was not seriously considered outside temperance circles. Reviewing the history of the drink question in 1857, *The Pacific* was unable to hand out more than negative credit to the temperance forces. "Intemperance seems scarcely lessening. In some places, at least, as much liquor is drunk as ever . . . yet much conservative power has been exerted by the temperance organizations. Things are not nearly so bad as they would otherwise have been."[71]

An important reason, other than the defeat at the polls, for the decline in temperance agitation in the late 'fifties was the increasing absorption of the moral forces—particularly inside the church—with the slavery issue. The *California Christian Advocate* from it inception in 1851 devoted more attention to the slavery issue than to temperance, not because it considered the one issue intrinsically more important than the other, but because, as a sectional struggle, slavery was at that time a politically more crucial issue than intemperance—particularly so to those churches most concerned about intemperance, because those were the churches which the slavery issue had completely divided into Northern and Southern branches. Much of the antislavery discussion in the *Advocate* consisted of direct argument with the Methodist Church, South. Of the temperance leader M. C. Briggs it was written, "His voice was constantly raised against the twin evils of the time—slavery and intemperance. When slavery no longer existed, he doubled his force of invective against intemperance."[72] By that time, the cause of prohibition in California was beyond all hope.

Four years after the prohibition referendum, the committee on temperance of the Annual Conference of the Methodist Church in California found that intemperance was on the increase, unopposed by an "efficient or hopeful opposition." The report went on in lugubrious tones to trace the downward course of temperance:

> Time was, in years by gone, when the star of temperance rose beaming with hope, but if not waned entirely, it has become sadly dimmed. The advocates and friends

of temperance and humanity bestirred themselves manfully, and made their voices to be heard, and their power to be felt over all our mountains and valleys, but that voice is well-nigh silent now, that power is felt no more. True, here and there, divisions of the Sons of Temperance are kept up, but their efforts are feeble, their success in relieving the ills of intemperance painfully limited. Emphatically, Rum is King, and well-nigh monarch of all he surveys.[73]

Chapter II

DOLDRUMS, 1859–1873

The Sons of Temperance never recovered from the defeat of the prohibition referendum. Membership dropped from 5,401 in 1855 to 3,100 the next year. By 1866 it had dropped to 659, and, despite subsequent gains, the organization never returned to lead the temperance fight in California. The Sons, themselves, blamed their decline on the defeat of the referendum, which "discouraged many weak brothers"; but there was no good reason to suppose that a more cautious course would have served the organization better. The order had been buoyed by the national wave of temperance, and local sentiment was not strong enough to sustain it when the national wave subsided.[1]

Throughout the United States after 1855 the temperance cause suffered reverses, and the gains of the early 'fifties were virtually demolished in the turmoil of the Civil War. In California, where no gains had been made in the best days, the movement was unavoidably bound for temporary oblivion, and by the end of the Civil War the leadership of the enfeebled California temperance forces had passed from the Sons of Temperance to the Independent Order of Good Templars.

The Order of Good Templars, founded in New York in 1851, was a secret, fraternal, benevolent temperance association which differed from the Sons of Temperance in but one important respect. It admitted women to membership on equal terms with men, and it was to this policy that it chiefly owed its success in supplanting the Sons as the leading organization of its kind not only in California but in all America. Women, even while excluded from membership in the Sons of Temperance, had been among its main sources of strength in California. In 1866 the National Division of the Sons tried to regain lost ground by admitting women to membership and by changing its name to the Sons and Daughters of Temperance. The California Division, by unanimous decision, did likewise four months later. By that time, however, the Sons had but one-tenth the membership of the Good Templars.[2]

Good Templary was first established on the Pacific Coast in 1854 with the founding of Pacific Lodge No. 1 at Santa Cruz. Two years later a second lodge was founded in San Francisco. In 1860 a grand lodge was formed for the state, which counted, by 1861, more than 1,500 members, nearly as many as the Sons of Temperance claimed

for that year. Steady gains were registered through the Civil War years, and by 1865 total membership was 4,157, according to one official report, and 6,294, according to another.[3]

The wide discrepancy between the two reports indicates the haphazard nature of the order. In theory, control was centralized in the state-wide grand lodge. Formation of a new lodge required the active participation of an official organizer from the grand lodge. Subordinate lodges operated according to laws laid down at the annual sessions of the grand lodge, and they were required to submit quarterly reports of their activities. In practice, however, lodges often failed to submit these reports, and members sometimes found the rulings of the grand lodge too numerous, confusing, and conflicting to follow.[4]

Much the greatest source of confusion was the rapid turnover of membership. In 1870 the total membership was reported as 7,084; the total number initiated in the previous ten years was reported as 33,266. In every single year during the 'sixties the total number of people initiated into the order was more than half the total membership at the time. In 1870 more than 4,500 new members were initiated into the order; yet total membership declined from 8,347 to 7,188. There was a busy turnover of lodges as well as of members. By 1868 there had been established in California 301 lodges, of which only 141 were still in existence. Many of those remaining were said to have been organized in the preceding year, and many of them were in towns where lodges had been started repeatedly and had failed to survive. The turnover of divisions of the Sons of Temperance was still greater. In 1868 there had been organized at one time or another about two hundred divisions in California, of which only twenty-eight remained. So loosely connected and rapidly shifting was the order of Good Templars, that the progress of a thriving lodge in Los Angeles was discovered by the editor of the official newspaper of the Good Templars through reading of it in another newspaper.[5]

The strength, such as it was, of both the Good Templars and the Sons of Temperance was distributed thinly through the inland hamlets. Of 170 Good Templar lodges listed as active in 1870, only 4 were in San Francisco and 3 in Sacramento. Most of them were in small towns, such as Rough and Ready, Timbuctoo, Volcano, You Bet, and Bodega Corners. Everywhere the field officers were busy forming new lodges, and from all parts of the state came enthusiastic reports of minor new successes. "We are glad to state that there is a lively interest manifested in the Temperance movement in this city. . . . Not a meeting

passes that candidates are not initiated." Working with hectic activity to create the impression of a healthy, growing, irrepressible organization, the Good Templars made slight gains in membership, which were more than offset by the heavy influx of population in the state as a whole. Compared with Good Templary in other states, the California order fared badly also. A report issued in 1867 showed that the Good Templars had made great strides in all states where they were active except California. Membership in most states had doubled since the previous national report. In New York the increase was almost eightfold. California had much the poorest showing, with an increase of but 4 per cent.[6]

One reason for the rapid turnover and low membership may well have been the narrow range of the Good Templars' activities, which consisted mainly in abstaining from alcohol, exhorting one another to abstain, initiating new abstainers, and taking part in secret rituals the purpose of which was to strengthen them in the principles of total abstinence. For lodges composed mainly of former heavy drinkers, as some were, such activities served a sufficient purpose; but for others made up merely of nondrinkers, a bare routine of that kind was likely to wear thin. A half-hearted effort to strengthen the order by strengthening the mutual aid aspect was attempted in 1870. The system required each member to pay five dollars on joining and one dollar each time a member of his class died. The heirs of the deceased received as many dollars as there were members in the class to which the deceased belonged.[7]

A recurrent symptom of dissatisfaction within the organization was the "dancing question," debated repeatedly at the annual sessions of the grand lodge. In 1864 the question was settled by a statement that the practice of dancing on lodge nights was reprehensible; but the matter would not rest. In 1868 the practice was said to have been abandoned,[8] but in 1870 its reappearance brought a warning from the Grand Worthy Chief Templar:

> Since last session of the Grand Lodge, much unpleasant feeling has been occasioned on this question, where dances have been instituted . . . withdrawals have taken place as a consequence. . . .
>
> It is perfectly safe to exclude dancing from all connection with our lodges. We incur danger from admitting it. It can never be used as an instrument or auxiliary in the conversion of men. . . .[9]

The question of dancing was at the center of one of the Good Templars' chief problems: the recruitment of young members. The problem was

made difficult both by the reluctance of young people to join such an organization and by the reluctance of the older members to admit them. *The Rescue*, the official newspaper of the California grand division, repeatedly exhorted the lodges to increase the Bands of Hope, the juvenile auxiliary of Good Templary, apparently with indifferent success.

The Good Templars were handicapped, as the churches frequently pointed out, by the lack of any connection with organized religion, or even, necessarily, any religious motivation. Whereas many churches taught that drink robbed man of his immortal soul, *The Rescue* declared that "the question of temperance is simply one of health reform." This narrow view of the contest left it stripped of much of its potential appeal. The order was denied also the excitement and promise of a political fight for temperance legislation, for such legislation in the 'sixties was beyond hope of achievement. "Since Temperance is not in the politics of the country," *The Rescue* declared, "politics should (for the present, at least) be kept out of Temperance." The fight for temperance legislation, which had given the Sons of Temperance its impetus in the early 'fifties, was not again practicable until the mid-seventies. In the meantime the Good Templars could hardly think of themselves as anything more than the pilot light, continually burning in the hope that temperance sentiment might one day be ignited among the masses of the people.[10]

The very small success which the Good Templars did achieve in the dismal period of the 'sixties was due more to the efforts of a disreputable deposed minister, George B. Taylor, than to any other man; while the Sons of Temperance gave all credit for their own meager gains to the efforts of the hard-drinking dime novelist and professional extortionist, E. Z. C. Judson, better known by his pen name, Ned Buntline.

Buntline sailed to California in 1868 apparently for the purpose of returning East on the first trip of the transcontinental railroad, which was then nearing completion, in order to gather material for his writings. An old hand at temperance speeches, Buntline came to the state under the auspices of the California Division of the Sons of Temperance. He went into action immediately on arriving, stumping California and Nevada and speaking in more than fifty towns in two months in the summer of 1868.[11] While on his trip he wrote periodically in *The Rescue*, lacing the account of his activities with human-interest anecdotes and with good thoughts and kind words for the Good Templars, Sons of Temperance, and ministers he met along the way. He wrote in his first account:

After forming two new Divisions of Sons of Temperance in San Francisco, I started on my country tour, from the good old International Hotel. . . .

On the 23d—Over the grand old mountains, asking for more of the same . . . I looked down into gulches 300 and 400 feet below. The stumble of a horse, the breaking of a spring, bolt or pole might have—well it would have cost a certain Eastern Life Insurance Company a small pile and made Mrs. J. eligible for the attentions of some individual looking for a "widder" with a small pile of the ready. . . .[12]

Buntline, who traveled in California under the bogus title of "Colonel" Judson, was a bigamist who had, in fact, several "Mrs. J.'s" waiting for him in the East. In California his folksy hokum proved comparatively effective in advancing the temperance cause. An inventive speaker, he developed a temperance theory peculiarly adapted to the California situation—that the ghost towns in the used up mining country would still have been thriving communities had they not been depopulated by the drink evil. During his brief stay in California, and almost entirely as a result of his efforts, the membership of the Sons of Temperance increased to half again what it had been on his arrival.[13] Praise from the California division was unstinted.

We need not tell you that he has succeeded quite as well as could be expected; as well, we feel assured, as any man alive could have done under the circumstances. He has organized twelve divisions, which in this time cannot have less than five hundred members, and given new life and animation to the divisions in nearly every part of the State where they are located.[14]

On his return to the East, Buntline performed one further service for the cause of California temperance: representing California, he attended the National Temperance Convention of 1869, at which the National Prohibition party was born. Addressing the convention, he declared that seven-tenths of the population of California, male and female, died from excessive use of alcohol, and he concluded by pledging California, Nevada, and Oregon to carry the temperance ticket the following spring.[15] By that time, however, he had lost the support of *The Rescue,* which made it clear that Buntline was representing California on his own responsibility. "Intelligent representative," it mocked, "there is no election in these States next Spring. . . . Hear! Hear!! Uncle Ned, you wont do. . . ."[16]

George B. Taylor had, in contrast to Buntline, a long association with the California temperance movement. He had come to the state in 1851 as a Methodist minister. He was, according to the official history of early California Methodism, "witty, sometimes eloquent, nearly always interesting in the pulpit."

He was an uncommonly fine-appearing man, large, well proportioned, with an intelligent face. Nature had done much to give him success in the ministry. He was prodigal of money, and careless—to say the best one can—of his business promises. This led to serious difficulties and embarrassments. In 1856 he withdrew from the Church and ministry. . . .[17]

Soon afterward Taylor was ordained a minister in the Episcopal Church. In 1859 he was placed in charge of a church in Marysville. Under his "gross mismanagement," according to the official history of the Episcopal Church in California, "the parish fell into great financial difficulties, nearly resulting in loss of all its property." Two years later Taylor was put on trial before the Church for preaching in the jurisdiction of other ministers without canonical consent and against the personal remonstrance of the ministers concerned. He was found guilty and deposed from the ministry and thus was left free to devote his energies to the temperance movement. His weakness for empire building was to prove his downfall in the California temperance movement also.[18]

Upon his dismissal from the Church he went to work as an organizer for the Sons of Temperance, formed nine or ten new divisions, and earned the lasting gratitude of that organization.[19] Transferring his activities to the Good Templars, he went as a field worker to Oregon, where Good Templary had not yet penetrated. Taylor's success in this venture, when compared with the success of temperance in general on the Pacific Coast, was truly remarkable. In his own words:

What I have accomplished has been done by wasting no time, and by hard labor. I have in the last seven months . . . delivered one hundred and fifty-eight lectures. I have collected for organization five Lodges organized by Bro. Ley, and one organized by Bro. Johnson; I have organized myself, during that time seven Lodges in California, eighteen in Oregon, and one in Washington Territory, making in all twenty-six Lodges.[20]

In the following year he reported the organization of 27 new lodges with 715 members. No other fieldworker's record could compare with Taylor's achievement. By 1866 the organization Taylor had founded in Oregon had a membership of 3,000. Three years later it had almost entirely supplanted the Oregon Sons of Temperance, and it remained for a generation the leading temperance organization in that state. On the basis of ten proxies from the Oregon lodges, Taylor became a power to be reckoned with in the 1865 annual session of the California Good Templars. Few other officers held proxies, and none held more than four. In the following year, however, Oregon formed its own grand order, and the strength of proxies was lost to Taylor.[21]

In the meantime, Taylor had been at work developing his own private temperance organization, the Champions of the Red Cross, which he apparently intended to attach to the Order of Good Templars in some undefined way. This new order and its proposed connection with Good Templary offended *The Rescue,* which found that "its conception, viewed as a whole, is wanting in . . . chastity and finish." *The Rescue* predicted that the Champions would "sooner or later go into disuse, and cease to be remembered."[22] Despite this prediction, the Champions, concentrating on the mutual benefit provisions, which were inadequately carried out by the older orders, thrived to become one of the recognized temperance agencies of the state. It made a long stride toward respectability when it reorganized, in 1871, denouncing its early leadership and early history; these, it declared officially, were "not very reputable," and had had a "damaging influence" upon the extension of the order. With this reorganization Taylor's connection with the Champions of the Red Cross was severed, but "a tedious and unthankful duty was necessary in order to put the Order on a basis where it could hope to meet the approbation of persons of refinement and good taste."[23]

In the following year there was published in San Francisco a manual, *Independent Champions of Temperance: Instituted for the Promotion of Temperance Freedom and Social Reform,* compiled by George B. Taylor, originator and founder of the Champions of the Red Cross. The order of Independent Champions of Temperance, however, does not appear to have taken root as the Champions of the Red Cross did, and with the resurgence of vitality which was soon to fill the California temperance cause, Taylor ceased to be a prominent figure in the movement.

The Good Templars continued throughout this period to be the brightest hope of the temperance men, but in the face of the unpromising circumstances, numbers of new temperance organizations entered the field: the Temperance Legion,[24] the Independent Order of Rechabites, the National Temperance Brotherhood, St. Mary's Temperance Society, The Father Mathew Total Abstinence and Benevolent Society, the Marine Temperance Society, and the Dashaway Association.

The Temperance Legion, organized at the close of the Civil War, attained its own special appeal by functioning as far as possible like an army. Officers were appointed, ranking from sergeant major to commander in chief, the enlisted men being known as volunteers. The Legion held annual encampments, and drunken members were tried

before courts-martial. There were in addition two auxiliary orders: the Ladies' Roll of Honor, made up of the Daughters of the Legion, and the Boys' Roll of Honor, composed of the Temperance Legion Cadets. Unlike the Templars and the Sons of Temperance, the Legion was a nonsecret organization. At its first annual encampment in 1866 the Legion claimed 737 members, including women and children.[25]

The Rechabites took their name from the religious group among the Israelites who lived in tents and abstained from wine. The California Rechabites called their units of organization "tents," a designation which amused *The Rescue*. After severely criticizing the ritual of the new order, *The Rescue* declared: "If the idea of a building is a fitting simile of organization, the name of it has been fitly chosen.... Tents may answer well enough for this airy fabric of organization; the world's moral work will continue to be done in temples."[26] Without becoming a powerful force in the temperance movement, the Rechabites survived *The Rescue*'s little conceit. In 1870 the grand tent conducted its first annual session, at which seventeen subtents were represented.

The National Temperance Brotherhood, an order for Negroes, was instituted in Sacramento and in Marysville by A. C. McDougal, a Methodist minister and an officer in the Order of Good Templars. The Marine Temperance Society took as its mission the spreading of sobriety among sailors, reporting the collection of about eight hundred temperance pledges in its first year of existence.[27]

The St. Mary's Temperance Society in San Francisco, beginning in the 'sixties, and the Father Mathew Total Abstinence Society, organized in 1874 in San Francisco and Sacramento, represented the most ambitious answer of the Catholic Church to the problem of alcoholism. The Catholic Church had forbidden its members to join the secret temperance orders, such as the Sons of Temperance, because these societies closely resembled the Masons and other anti-Catholic secret societies, and it had even looked with suspicion on open, nonsectarian temperance societies. A Jesuit priest was accordingly disciplined for addressing the nonsecret Dashaway Association and accepting honorary membership in the organization. Even the church officer who heatedly defended the priest's course to the Jesuit general in Rome stopped short of condoning his acceptance of honorary membership in the Association. In reaction to increasing drunkenness among Catholics as well as to the development of a total abstinence movement within the Church, the Catholic Total Abstinence Union was formed in Baltimore in 1872 and received, along with miscellaneous independent Catholic temperance

groups, the approval of the Plenary Council of the Catholic Church in America as well as the blessing and formal commendation of the Pope.[28]

The St. Mary's Temperance Society approached the temperance question with diffidence. Members of the Society, of which there were three hundred in 1868, were offered their choice of two pledges: they might either pledge total abstinence and promise to discountenance the use of liquor as a beverage by others, or they might merely pledge themselves not to make a habit of drinking in saloons and not to drink liquor except as a medicine or as an article of diet. Plainly the standards of this group were well below those set by other temperance organizations. Nevertheless the director of the home for inebriates in San Francisco was convinced that a great deal of good was done by the society. He noted that three-quarters of his patients had been Catholics before the organization of St. Mary's Temperance Society, and that the proportion had since dropped to not more than one-third.[29]

Members of the Father Mathew Total Abstinence Society pledged themselves to follow the precepts of the man for whom the organization was named, Father Theobald Mathew, the foremost Catholic temperance leader of the nineteenth century: personal abstinence and the fostering of temperance in others. So far as legal prohibition was concerned, however, the Father Mathew Society placed itself squarely with the opposition. The San Francisco chapter in 1874 passed a resolution: "That we, as a Society, feel it incumbent on us to adhere strictly to the rules adopted by our patron, and therefore cannot assist in enforcing any legal coercive measure calculated to compel our neighbors to think or act as we do on temperance."[30] Therefore, although the Catholic temperance organizations unofficially joined the other temperance groups in social events such as temperance picnics, they stood in the enemy camp on the great issue of legal prohibition.[31]

Following the example of other organizations active in the temperance movements of the mid-seventies, the Episcopal Church entered the field with a temperance group of its own. In order to become a member of this "churchly" society, a person must take a pledge, but he could select from a variety of pledges. He might pledge himself to drink only wine or beer, or to drink only one or two or three glasses of any drink at one time, or to abstain from drinking in saloons, or to labor to reform drunkards while placing no restrictions on his own drinking habits. This new organization brought no cheers from the other temperance forces.[32]

The most remarkable and probably the most effective temperance society in the state at the time was the Dashaway Association of San Francisco. The Association was founded January 2, 1859, by five firemen in the Howard Engine Company in San Francisco. The firemen bound themselves to total abstinence and to the recruitment of abstainers from the hard-drinking population of the city. Seventeen members were signed in the first meeting. The name Dashaway signified the resolution of the members to "dash away" any alcoholic drink which might be offered them. The total abstinence pledge was the only requirement for membership. Saloonkeepers were welcome as members, provided they themselves did not drink the alcohol they served.[33]

Whereas most temperance groups appealed primarily to the lifelong bone-dry, the Dashaway Association was preëminently the drinking man's temperance society. Nothwithstanding that any member who violated the pledge was, by a majority vote of the meeting, to be "*discarded* as an *associate,* and . . . regarded . . . *as a man not of Truth and Veracity*," it was among the drunkards that the membership was recruited. On a typical membership drive, Dashaways would gather up drunks from the street, bring them to a house belonging to the Association, and sober them up. They would then exhort the drunks to take the pledge, pay the fifty cents initiation fee, and join the Association. The organization was devoted exclusively to saving the drunkard; political and religious discussion was prohibited. The prohibition extended to agitation for temperance legislation. Although individual members might do as they liked, the society refused to take a stand for any control of the liquor traffic.[34]

The Dashaway Association was an immediate success. Eighteen-hundred members joined in the first year, and in the first six years almost six thousand members in San Francisco alone took the pledge. Originally meeting in the firehouse, the Dashaways in 1862 built their own hall. Three meetings a week were conducted in the hall: a public meeting on Sunday evenings, usually with an outside speaker, a business meeting on Tuesday evening, and a social meeting on Thursday evening. All meetings were open to the public.[35]

The spectacular success of the Dashaway Association was followed by the opening of branch associations throughout the mining country, in Sacramento and other towns as far south as Watsonville, in Oregon, and in the Hawaiian Islands. In Watsonville, Ned Buntline reported, the Dashaways were the one wide-awake temperance organization, the Good Templars' lodge being in need of a "pushing up" and the Sons of

Temperance having "gone to sleep." The chief work of the organization, however, continued to be done by the parent body in San Francisco, and this work included the construction of a home for inebriates in San Francisco, an institution which cared for patients free of charge, treating each patient for from one to four weeks. By 1870 approximately fifteen hundred drunks had been treated in the Dashaway home. The institution was supported partly by voluntary contributions and partly by a donation from the city.[36]

The success of the Dashaway movement can be attributed mainly to the energy and ability of one of its original founders, Frank Whitney. It declined in importance after his death, and by the mid-eighties it had fallen into the hands of a group of men who divided $72,000 of the organization's assets among themselves in $1,500-dollar shares. One of the last noteworthy acts of the Dashaways was a fatal shooting which occurred during an argument over the division of about $35,000 remaining.[37]

During the 'sixties the success of the Dashaways was an embarrassment to churches and to the major temperance societies because the Association's stand in regard to liquor legislation was directly opposed to theirs. But the group was so obviously useful and the anti-saloon cause was so obviously hopeless for the time being that the Dashaways were warmly supported by other temperance organizations.[38]

In the wet decade of the 'sixties, temperance societies found little to divide and much to unite them. On learning of the formation of the Temperance Legion, *The Rescue* declared:

> We will only remark that we wish the Legion entire success. It is a means to the same end, which the Order of Good Templars longs for, and we have entirely too much to do to allow any waste of time in useless discussion about means where all are so good. . . . Therefore drink bumpers (of clear cold water) to the success of the Temperance Legion.[39]

The Temperance Legion, on its part, declared: "The multiplication of Temperance Societies is needed at all times . . . it being distinctly understood that this Society is in opposition to no other Temperance Organization in the State."[40]

When in 1866 the National Division of the Sons of Temperance altered its constitution to admit women to membership, *The Rescue* recommended that the Sons and Templars unite, "since a name is all that divides them." Although *The Rescue* had entertained doubts about the Champions of the Red Cross and the Rechabites when they first entered the field, these organizations, once established, were apparently

accepted into the fold. An outward sign of the harmony among temperance groups was the institution of the temperance picnic. A grand picnic held at Alameda in 1867 brought together an estimated seven hundred persons: Dashaways, St. Mary's Temperance Men, Good Templars, Sons of Temperance, and Temperance Legion men and women, although the last three organizations were the only ones which officially accepted the call to be present.[41]

Another symptom of interfraternal friendliness was the overlapping of membership lists. A number of temperance advocates joined two or more temperance organizations in order, perhaps, to increase the size of the feeble movement on paper. *Our Mutual Friend* declared: "We know a great many who are members of the Sons, Templars, and Legion, and we believe that fully one half of the Sons are also Templars."[42] This practice did not extend to the Dashaway Association, which prohibited its members from belonging to other temperance organizations.

The temperance societies showed a less friendly spirit toward the churches. Failure of the prohibition referendum had marked the end of the open and active alliance between the evangelical churches and the temperance societies. Thereafter, although individual ministers remained active members of one or another of the societies, they were exceptional. The temperance report of the California Methodist Conference in 1859 admitted that the churches had withdrawn from the movement since the defeat of the referendum, and it went on to ascribe the low state of the movement to that defeat, in large part.[43] Despairing of any concrete advances in the temperance field during the 'sixties, the Methodist conferences usually contented themselves with passing resolutions of qualified support of the work of the temperance societies, always with the reservation "that the only sufficient and sure agency for the permanent reformation of men from intemperance or other vice is the power of God in the Gospel of Jesus Christ. . . ."[44]

The General Association of Congregational Churches of California, in 1869, while extending "hearty sympathy and support" to the existing temperance organizations, delicately implied disapproval of the secret fraternal orders, such as the Sons of Temperance and the Good Templars, by recommending the formation of "open societies" in every community, "which shall unite more fully all those interested in the prosecution of the great work."[45]

It was the report in 1865 of the Presbyterian Synod of the Pacific, however, which delivered itself of the most ungracious comments on the matter:

. . . there are no Temperance organizations which are calculated to reach and move the masses of the people; only a few close societies which are doing something for a limited number of members and one or two open societies, such as the "Dashaway" which is doing a noble work, yet much too limited. . . .

Your Committee would . . . recommend the appointment of a Standing Committee to report on the general subject of Temperance at the next meeting of the Association, with special reference to the inquiry whether it is not time to enter upon some more general and systematic efforts for the suppression of this vice, and if so, whether these efforts should not take the form of a State organization.[46]

"We cannot see how this mention of close societies will contribute to their support," commented *The Rescue* early in a long, bitter attack on this report, "but we have reason to fear that so far as it may affect them either way it will be unfavorably . . ." There followed several paragraphs of sarcastic reflection on the attitude of much of the ministry toward the drink evil.

If the Association contemplate the organization of a society that shall differ materially from some one or from all the organizations now in actual operation it would be difficult to anticipate its character. The organizations of to-day are the result of the wisdom gained by the experience of more than thirty years. . . . We would most earnestly recommend to the consideration of the Committee the claims of these organizations, believing that in concentration of effort there is strength.[47]

The Congregational Church also drew fire from *The Rescue* for the weakness of its stand against drinking. The paper declared that in 1864 the Congregational ministers at their annual meeting had been requested to deliver but a single sermon on temperance, and that many of the ministers had not done even this small chore.[48]

Our Mutual Friend, a San Francisco temperance paper of brief duration, agreed completely with the churches that the temperance millennium could be achieved only through church leadership, but it bitterly condemned the churches for failing to do their duty in the matter.

For the last decade the ravages of intemperance have fearfully increased all through our land, and this too in the very face of all the efforts of Temperance men and organizations. Why is this? . . . We declare it to be our solemn conviction that the true answer to these inquiries will be found in the fact *that the Churches of our land have no hearty sympathy with the Temperance movement, or with the men who represent it or the measures they advocate.*[49]

If the evangelical churches failed to see their duty with respect to temperance, the other churches were altogether beyond the pale. The Catholic Church was considered to be on the side of the saloons, and the Episcopal Church was considered to have made no real concession to the cause of temperance. Of the official Episcopal newspaper of

California the *Advocate* said, "we have read that religious sheet from its first issue and we do not remember to have seen a paragraph in its columns condemning liquor-producing, liquor-selling or liquor-drinking." Even the Methodist Episcopal Church, South, at the height of the temperance wave of 1874, voted against the proposal to amend the general rules to forbid the making and vending of intoxicating drinks, although nationally the Church had voted in favor of such an amendment at its general conference by a large majority.[50]

So serious did the breach between the churches and the temperance organizations become that many Good Templar lodges were unable to induce a minister to act as chaplain. *The Rescue* editorialized:

> We . . . are so well aware of the fact that in many localities our Lodges have languished and died because of the want of effort, and in some cases because of opposition of persons calling themselves Ministers of the Gospel of the Son of God; that we know it to be just to call attention plainly to the matter. . . .
>
> The Order of Good Templars never did—does not now, nor will never intend nor desire to supplant the church. . . .[51]

That many Good Templars did in fact often think of their order as supplanting the church was attested to by the grand lecturer of the Good Templars, A. C. McDougal, who was also a Methodist minister. Many ministers, he said, would have nothing to do with the organization because of insults received from its members. He condemned fellow Good Templars for saying that ministers were as evil as saloonkeepers, and for complaining because churches held prayer meetings on Sunday evening, when lodge meetings were held. "The temperance cause must accommodate itself to the church," he said, "not the church to the Lodge-room."[52]

Besides McDougal there were other ministers who were prominent in the movement, most of them Methodists. The Grand Worthy Chief Templar of the California lodge, C. S. Haswell, was a Methodist minister, as was C. V. Anthony, editor of the *Temperance Champion,* the publication of the Champions of the Red Cross. M. C. Briggs, the leading Methodist temperance advocate of the early 'fifties, also continued to be a devoted friend of the temperance societies. But these men were exceptional. The ministry as a whole remained out of the movement until drawn in by the sudden resurgence of temperance sentiment in the mid-seventies.[53]

A specific complaint lodged against the ministry by temperance men was that the use of wine in administering the holy sacrament gave the liquor men an unanswerable argument. Temperance men maintained

that the implied sanction of wine drinking in the Bible was actually the result of a faulty translation; that much of the wine mentioned in the New Testament was actually unfermented grape juice, and that certainly Christ had partaken of the unfermented wine exclusively. Beyond that, California temperance men felt that they had been singled out among the temperance forces of America for the special duty of fighting the wine interests, since theirs was the one important wine-producing state in the Union. *The Rescue* gave more space to arguments against the use of wine than to those against any other form of alcoholic beverage.[54] The Methodist Church joined the fight in 1869, when the California Conference declared: "That, inasmuch as unfermented grape juice can be procured, and is every way preferable to alcoholic wines for Sacramental purposes, we hereby recommend to our people *everywhere,* the use of pure unfermented wine in the sacrament of the Lord's Supper."[55] Achievement of this goal in the evangelical churches was one of the concrete results of the temperance wave of the mid-seventies.

Efforts to heal the growing breach between the churches and the temperance societies came to a head in 1866 in the calling of a temperance convention in San Francisco. An unsuccessful effort had been made in the previous year to call such a convention, and in 1866 preparations were made well in advance, in time for the churches in their state conventions to appoint representatives. In addition, individual churches, Sunday schools, the Sons of Temperance, the Dashaway Association, the Temperance Legion, and the Good Templars were represented. The convention formed itself into the California State Temperance Union and elected M. C. Briggs president. The meeting passed a series of resolutions calling for eventual prohibition and appealing to the churches for coöperation. The convention then adjourned, and its creation, the Temperance Union, which had no practical reason for existence, faded into obscurity. In 1868 an abortive attempt was made by temperance elements in San Francisco to call another convention, an indication, apparently, that the State Temperance Union was considered to be nonexistent. A similar proposal for a convention was discussed in Sacramento later in the year.[56]

In the spring of 1873, at the suggestion of the Methodist Church, another state convention was held in San Francisco. This had the approval of the Grand Lodge of the Good Templars and the endorsement of the General Assembly of Congregational Ministers. It was attended by delegates from the entire state, representing a wide variety of or-

ganizations which opposed intemperance. The organization thus formed took the name State Temperance Alliance of California and Nevada. As organized it became practically an extension of the Order of Good Templars, the Grand Worthy Chief Templar being elected president, and the Grand Worthy Secretary of the Templars being given the post of secretary. After the usual resolutions had been passed and the convention had adjourned, the Alliance found itself adrift, as its predecessor had been, serving no practical purpose. In the following spring this new state temperance organization was gliding into oblivion when it found itself suddenly caught up in the gusty movement of the women's crusade.[57]

Chapter III

THE WOMEN'S CRUSADE, 1874–1886

The tornado of temperance activity which swept through California in the spring and summer of 1874 was an astonishing matter to temperance men, ministers, saloonkeepers, and liquor dealers alike. After starting at top speed in March, it was brought to a halt in September when the state supreme court, in effect, declared the whole agitation unconstitutional by outlawing the local-option law which had released it. When the storm subsided it was seen that the liquor industry had sustained remarkably little permanent damage; if anything, it had stabilized its position by taking united action, which it had never before found necessary. However, the movement marks the first appearance in California of those two indestructible vessels of temperance, the Prohibition party and the Woman's Christian Temperance Union.

That a local-option law was passed in California at all was perhaps more remarkable than the fury of the agitation which followed. The agitation, once started, was seen to be an extension of the women's crusade against saloons, which had been launched in the Middle West that winter. The local-option law itself, however, was in large part the result of events quite unrelated to the temperance movement.

Liquor was no more an issue in the campaign of 1873 than it had been in any other campaign since 1855. No party platform in California between 1855 and 1875 hinted at an opinion on the temperance issue. The one great issue of the campaign of 1873 was the railroad question, and it was popular opposition to the Central Pacific which swept into power a legislature sympathetic to local option. The same good fortune was to be repeated for the temperance men thirty-seven years later, when a California legislature again passed a local-option law. On that occasion the temperance reform was the by-product of popular opposition to the political bureau of the Union Pacific Railroad, and both the temperance forces and the liquor interests fought a concerted, well-organized, heavily financed fight. In the legislature of 1873–1874 local option was, by comparison, an afterthought, passed in response to a petition from Mendocino County. There was some organized temperance agitation, but the liquor interests did not even send a representative to lobby against the measure.[1]

In 1871 Newton Booth was elected governor of California after a campaign against the "measureless subserviency" of the Democratic administration "to a corrupt lobby, evinced by numerous profligate grants of subsidies to railroad companies." The development of anti-railroad sentiment in the following two years was sufficient to enable Booth to place himself at the head of an independent, antirailroad party, nicknamed the Dolly Varden party, which, to the surprise of nearly everybody, carried the election in many parts of the state in that year and gave Booth the majority in the legislature which he had previously lacked.[2]

The party was made up of miscellaneous dissatisfied elements from the two major parties, including the anti-Grant Liberal Republicans, who had organized nationally in the previous year. The great strength of the party, however, was provided by the granger movement, which had reached California in 1872 and had spread rapidly throughout the state. In the fall of 1872 a number of farmers' groups gathered in Sacramento and organized the State Farmers' Union, electing as president, John Bidwell, the future Prohibitionist candidate for President of the United States. By the summer of 1873 the grangers were sufficiently well organized in clubs throughout the state to form the core of the Dolly Varden party and help bring about its victory.[3]

The Dolly Varden party lasted but two years. In 1875, with Bidwell as its candidate, the party lost the election and passed out of existence. In the swiftness of its rise and fall, as well as in the negative character of its reason for being—antirailroad sentiment—it resembled the anti-foreign Know-Nothing party, whose momentary victory in 1854 had been incidentally followed by the prohibition referendum of 1855. Both parties drew their chief strength from the Protestant, native Americans —the class which has always formed the basis of the prohibition movement in the United States. Furthermore, since women played an important role in the granger movement in California, the movement was particularly susceptible to the influence of the women's crusade.[4]

So strong was temperance sentiment among the Grange organizations that the *California Granger* felt obliged to admonish the enthusiasts.

> The Grange is not a temperance society, hence the agitation of the question *ex professo* in our meetings is improper, because probably offensive to worthy members. We are sorry this is so—that any good Granger is addicted to the use of ardent spirits, inasmuch as we believe it to be hurtful to body, mind and soul. . . .

> Let us try the power of friendly social intercourse upon our erring brothers, and win them, if possible, to a better life. We have more faith in measures that appeal to the social natures of men, than in prohibition.[5]

The local-option measure, once it had passed, however, received the strong endorsement of the *Granger,* accompanied by a long, bitter attack on saloons.[6]

Early in the 1873–1874 session the California legislature demonstrated its temperance leanings. In its opening days the senate included in a resolution to build a restaurant in the capitol the stipulation that the restaurant should sell no intoxicating drinks. Soon afterward a bill was introduced which would prohibit the sale of intoxicating liquors within two miles of the University of California. The rules were suspended in order that the bill might, by unanimous consent, be passed by the senate immediately. A bill to dry up the area around the Napa State Asylum was in like manner swiftly approved and was soon followed by a resolution that any of the page boys in the legislature found frequenting drinking or gaming saloons should be discharged. The bill providing for a dry zone around the state university passed the assembly on December 22, and the one establishing a similar zone around the Napa institution passed on January 14.[7]

One week later a more far-reaching temperance measure received consideration when a bill was introduced to prevent the sale of intoxicating beverages on election days.[8] This bill struck—with but limited success, as it proved—at one of the most obvious abuses of the liquor traffic. Saloons on election day were electioneering centers where corrupt politicians exchanged free whisky for votes, piling up majorities by collecting drunks and herding them to the polls. In San Francisco, it was charged, the saloons could swing any election.

> They have carried primaries, controlled conventions, and decided the fate of candidates and tickets.... This is hardly to be wondered at considering that in San Francisco, where the vote rarely exceeded 25,000, according to their own organ, hardly less than 4,500 men are engaged in retailing liquor, and that the figures show one bar to every ten voters....[9]

Although so formidable a host could hardly be stopped by merely closing saloons on election day, an election law, if enforced, would at least hamper its activities. The bill passed the senate in February and the assembly on March 5, before any of the local-option elections were held. Enforcement of the law, however, was another matter. During many of the special local-option elections held that year, saloons re-

mained open and liquor flowed freely. Violation of the law continued to be common practice for many years. The chief of police in Sacramento in 1884, when requested to enforce the election law, reportedly replied that he would need 100 extra policemen for the job of patrolling the city's 400 saloons, 130 of which, he added, did not comply with the law even so far as to pay their liquor licenses.[10]

The year 1874 saw the second great temperance wave roll across the United States. This, combined with the obvious temperance proclivity of the legislature, gave temperance men clear cause to hope that some more far-reaching temperance measure was in the offing. As early as February 5, when no such bill had yet been offered, the *California Christian Advocate* became indignant.

> What has happened to our temperance champions at Sacramento? Are we to be cheated by strategy of "masterly inactivity?" We have felt confident that our present legislature would give us a good temperance law, including the "local option" and "civil damage" features in it. No sensible man—even among liquor sellers—can reasonably oppose such legislation. It is time for something to be done.[11]

The languishing State Temperance Alliance of California and Nevada, abruptly faced with the possibility of leading a vital temperance crusade to victory, gathered in Sacramento in mid-January to organize the campaign. Agreement was tentatively reached on the general outlines of a bill which would embrace both local option and civil damages. A civil damages law, such as was in force in a number of other states, would have made liable for the damages which could be traced to the sale of liquor all those involved in the sale. Under this law those who could show that they had been economically injured by such sales —the children or wife of a drunkard, for instance—might sue the liquor dealers who had sold liquor to the man.[12]

On the question of the advisability of pressing for a civil damages act, the temperance forces apparently divided, some wanting an act combining the features of local option and civil damages, and others wanting to press for local option alone. The result was that the older temperance groups represented in the State Alliance, after a generation of waiting, missed their first opportunity to assume the leadership of the new temperance drive. Petitions poured into the legislature asking for one or another or both of these laws, and the draft of a local-option law submitted by the Temperance Alliance of Mendocino County was accepted in the senate and referred to the Committee on Public Morals. The bill was introduced on February 18 and passed the senate on March 11. February 18 was a notable date for temperance

in the legislature, another bill being introduced in the senate to outlaw the sale of liquor to persons under eighteen and to prohibit the dispensing of liquor by waitresses, and a bill being introduced in the assembly to make liable for fine any person asking another to take a drink in a saloon.[13]

The assembly considered the senate local-option bill in addition to a civil damages bill which had been recommended by the assembly committee to which it had been referred. Considering first the local-option bill, the assembly demonstrated less sympathy for the dry cause than had the senate, and a number of crippling amendments lost by close votes. An amendment to require the signatures of one-half the voters of a township to call a local-option election, instead of one-fourth, lost by a vote of 35 to 35. The bill was at length passed, 52 to 19.[14]

The law, as finally passed, was an extremely mild measure. According to its provisions a special local-option election could be called by a township, incorporated city, or town whenever one-fourth of the legal voters of the area petitioned the board of supervisors for such an election. If a majority vote was cast for no-license, liquor could still be sold in the area, but not in quantities of less than five gallons. Thus the measure would close the saloons while permitting the retail dealers to continue operating. "This is not by any means all the temperance men want," the *California Christian Advocate* had declared, referring to the local-option and civil damages bills together, "but it is all they think they will be able to get."[15]

At the time of its passage nobody expected much of the local-option law. The ministers and temperance men thought that the measure, mild as it was, would be voted into operation only in small outlying communities. In general, temperance sentiment was one of disappointment at the failure of the civil damages bill. Liquor and temperance men alike had not properly counted the women in their reckoning.[16]

For several months before the passage of the California local-option law, the women's crusade had been working miracles for temperance throughout the Midwest and East. The first sally occurred on December 14, 1873, in Fredonia, New York, when a band of one hundred women, incited by the temperance lecturer Diocletian Lewis, marched against the saloons of that town, praying for them to close. This and subsequent attempts in various towns in the next week were not notably successful. But on December 23 in Hillsborough, Ohio, Dr. Lewis and his women struck a spark; saloons went out of business, and drugstores and hotels closed their liquor counters in the face of these roving

bands of praying women. Within a few weeks the movement had spread throughout Ohio, and by March, according to Dr. Lewis, seventeen thousand drinking places in that state had been abandoned as a result of attack by the women who visited saloons, wailing, crying, and praying until the saloonkeeper closed up business either out of a change of heart or from the loss of customers. From Ohio the movement raged throughout the Midwest and East for a period of six or eight months. Then it subsided, and the saloons went back into business again. The movement did not pass, however, without leaving changes in its wake, the most notable of which was the formation, in Cleveland, Ohio, in November, 1874, of the National Woman's Christian Temperance Union.[17]

In California as elsewhere the crusade in Ohio was headline news, and the *Advocate* waited eagerly for it to strike an answering chord among the women of California. "If Dr. Dio Lewis would make a visit to this Coast and wake up the ladies in regard to the temperance cause," the *Advocate* suggested, "the results might be salutary and beneficial." It waited through the next week, but, "as yet—so far as we know—nothing has been done toward inaugurating a like movement on this Coast. . . . That a crusade will soon be organized, we have no doubt—and may God's blessing rest upon the effort." Two weeks later the *Advocate*'s waiting was rewarded. "The women are organizing and preparing for a vigorous campaign," it announced,[18] and the Presbyterian *Occident* wrote:

> Meetings of ladies have been held almost daily in this city [San Francisco] during the past week with reference to the temperance cause. There is an almost perfect unanimity of sentiment upon the necessity of some action being taken. But how it shall be directed, and in what manner carried on, admits a wide latitude of judgment. Hitherto the meetings have been confined to a few ladies of several different organizations or churches. During the present week a mass meeting is to be held.... We urge that mass meetings be held and that they be preeminently prayer meetings.[19]

At the same time, a few "saloon visitations" were attempted by women. The Sacramento *Union-Record,* however, found "little reason to believe that that style of procedure in Sacramento will meet with favor in any quarter," and neither there nor elsewhere in California did the practice become widespread. The energies released by the women's crusade were absorbed almost entirely in the local-option campaigns.[20]

That the temperance drive of 1874 was to develop an intensity and power immeasurably greater than that of any previous dry campaign

in California was at once apparent with the opening mass meeting in San Francisco. Crowds jammed the largest hall in the city, filling up the platform, the aisles, the doorways, and the front hall, and hundreds more were turned away for lack of space. The meeting was sponsored by the newly organized Women's Temperance Union. In the following week another woman's temperance organization, the Temperance Crusaders, in San Francisco, entered the field, and a week thereafter the various women's organizations joined to form the Women's Temperance Alliance of San Francisco. Represented in the Alliance were the women members of numerous Methodist, Baptist, Presbyterian, and Congregational churches, of the Good Templars and the Sons and Daughters of Temperance, of the Ladies' League and the Kensington Reformers (two organizations new to the field), and of the Temperance Crusaders and the Women's Temperance Union. The meeting was also attended by ministers of the various churches, who, however, had decided previously to take no active part in the proceedings. Similar Women's Temperance Alliances sprouted simultaneously in other cities and towns in California.[21]

In April the State Temperance Alliance of California and Nevada once again put in its bid for leadership of the movement. Meeting in San Francisco for its first annual session, it called all temperance groups to unite under its banner. The response, while mainly local, was inconclusive. In addition to the groups represented at the Women's Temperance Alliance meeting, there were delegates from the Champions of the Red Cross, the Temperance Legion, the Universalist, Unitarian, and Adventist churches, and the German Methodist Total Abstinence Society. The Alliance dropped Nevada from its title and officiated throughout the local-option campaign as the nominal leader of the crusade, although late in the campaign it was embarrassed by the formation of the California Temperance League, which apparently aspired to the same station. The brunt of the local-option campaign, however, was carried by the individual Women's Temperance Alliances, which held daily prayer meetings, passed petitions for local-option elections, and campaigned at fever pitch to get out the temperance vote. Women of Rough and Ready township, Nevada County, were credited with winning the first victory in the state for no-license. Little opposition was expected, and the women carried the day. The contests which followed were at first primarily in the small towns of the interior; no-license was approved in Clayton, Woodland, Los Gatos, Lexington, and Saratoga, and was defeated in Visalia, Mountain View, and Santa Clara.[22]

The first contests were quiet and orderly, but they commenced to warm up at Santa Clara. The *California Christian Advocate* charged:

> On the day of election wagons were sent to the "Poor Farm" and near a score of *paupers* were carted to the polls and voted in favor of the vile traffic which made them beggars....
>
> That liquor was freely dispensed all day, in violation of law, no one questions. An investigation into the matter will probably determine as to the truth of the statement that "pails of whisky were kept in wash rooms and in outbuildings to which all had access who would vote the whisky-ticket."[23]

In contrast, perfect order prevailed in Oakland the next week, when the women won their most important victory up to that time.[24] Despite the force and persistence of the electioneering women, the liquor men treated them with courtesy. The *Pacific Baptist* was jubilant. "Oakland has outdone itself," it declared.

> But how did it happen? Why, in this way: The best ladies of the city—leaders in society—went into the contest, and stood near the polls all day long with No License tickets in their hands. They took hold of every man that came in sight; they pressed their tickets upon him, with flowers and smiles for his reward. Men could not stand against them. They had to vote right, in self defense and in self respect. It was wonderful how all classes respected these women. In one or two instances a rude word or action was attempted by a shameless votary of rum, but the natural defense for woman became her shield, while the cowardly innuendo of the rum votary was swiftly punished by his own comrades. The result is VICTORY. No one scarcely expected it.... Saturday Brooklyn is to vote on this question. Let the women work and pray there and a similar victory may be won....[25]

In Brooklyn, another Alameda County township, the women repeated their victory, as the *Baptist* had predicted. By June 4, according to the figures of the *Advocate*, twenty-three townships had voted for no-license and seven had voted against it.[26] "The local option elections are nearly all on one side," *The Occident* declared. "No license is almost sweeping the State and the few places that have endorsed liquor selling are merely gaining a bad preeminence."[27]

After Brooklyn, however, the fight became increasingly difficult for the women. Naturally, the early elections had been called in those townships in which the chances of victory were brightest. In Salinas City, where defeat of no-license appeared likely, the women persuaded the city trustees to raise the price of the saloon licenses instead of petitioning for an election. And, with a three-to-one victory registered for the women and the prospect of dozens of local-option elections yet to be held, the liquor interests finally stirred themselves to launch a united counterattack.[28]

Prior to the passage of the local-option law the *Wine Dealers' Gazette* had expressed its amazement at the complacency of the liquor industry as a whole.

> We wonder if our wholesale dealers, importers and jobbers in wines and spirits, our brewers of ale and lager beer, ever reflect on the consequences to their business should the present Legislature pass a law—as there is every likelihood of its doing—the Local Option bill? Supposing the people of one-half the counties in the State, under the operation of that law, declare that . . . no drinks shall be sold? . . . And yet in the face of this menacing danger our unthinking merchants rest in fancied security. While the *Rescue* and its Temperance allies, both inside and outside the State Legislature, are moving heaven and earth to pass the law, those whose interests it will injuriously affect, make no sign. . . .[29]

The liquor interests not only made no effort to defeat the local-option measure, but after its passage they made no apparent effort to organize to defeat it in the townships until the women were well under way with their campaigns. Perhaps the first elements of the liquor trade to feel the women's lash were the grocery store proprietors of San Francisco, most of whom sold liquor, and many of whom maintained small bars in back rooms. In mid-March one hundred and fifty grocers organized against a committee of women who were demanding that the grocers who served liquor be required to take out liquor licenses.[30]

April was almost over before the wholesale liquor dealers met in San Francisco and formed the Wholesale Liquor Dealers' Association, with the primary object of fighting the local-option law. The Association agreed to "assist some one person or firm that may be prosecuted for violation of what is called the Local Option Law, to the end that a test case may be passed through the State Courts, and, if need be, through the Supreme Court of the United States with as little delay as possible." The Association also resolved to use all "lawful" means to "defeat the enforcement of the law."[31]

Finally, in mid-June, a week before the important San Jose election, various branches of the liquor industry joined to form a League of Freedom to direct the campaign. One of the member groups, also recently formed, was the Personal Liberty League, which resolved:

> That we condemn and deprecate the attempts of fanatics to bring religion into the discussions of local affairs, to stir up riot and strife in peaceable communities, and to entice our wives and daughters under the false cry of morality and religion to expose themselves to the contaminating influences of a political fight at the polls and by the abuse of the chivalry and respect of the men toward the female sex to destroy the purity of the ballot-box. . . .[32]

With the women roused and experienced and the liquor men at last organized, the no-license campaign passed into a new phase in the San Jose election. Bitterness early entered the campaign, when a prolicense Protestant minister challenged the women of San Jose to a public debate and a Catholic priest delivered a sermon against no-license, declaring that it was a disgrace to any community that adopted it. The sermon was reprinted daily as an advertisement in the San Jose *Mercury* during the week before the election. "A Romish priest in San Jose," the *California Christian Advocate* commented, "denounces the Local Option law, and says it is a disgrace to a civilized people. A Romish priest, with his peculiar training, is the last person to speak of civilization."[33]

A temperance tent was erected in San Jose, where meetings were held daily, well before the election. Of one such meeting the San Jose *Mercury* declared that half an acre of people were packed around the outside of the tent, unable to crowd their way in, while inside the tent the meetings were interrupted by the heckling of antitemperance men who had come early enough to gain admittance. In the letters column of the *Mercury* a San Jose woman made a last-minute appeal for more volunteers.

> Young ladies, throw away all timidity and come out to help us fight the hard battle on Saturday.... If you are too bashful to talk, go with those that can, thus lending aid by merely your presence. If young ladies from neighboring cities come on the field to fight, which they will, I hope none of our girls will allow them to receive all the glory by our remaining at home. It will be a proud thing to say, in after years, "I was there to help."... Think not what people will say, but come boldly to the front and God will reward you.[34]

Large as were the crowds assembled at the temperance tent, the crowd at the prolicense rally on election eve was larger—"about the largest crowd we have seen at any public meeting in San Jose for many years," according to the *Mercury*. Stirring speeches were made, and the ceremonies closed with the recitation of a poem, ending:

> Freemen! be ready to fight once more
> And finish the work your sires begun!
> The Battle of Freedom will not be o'er,
> 'Till this Prohibition conflict is done!
> Form! form! citizens, form!
> Ready! be ready to meet the storm!
> The bigots are rising! citizens, form![35]

No election, the *Mercury* declared, not even the elections involving the issue of the Union and the Civil War, had aroused as much interest

or as much bitter feeling as the local-option election. Early in the morning both sides were on the field, and before noon many farmers and their families had come from the surrounding countryside to watch the show. On the side of no-license the campaign was carried on by women almost exclusively. Many of them came from San Francisco and Oakland, and they roamed the streets in groups, arguing, making speeches, and distributing smiles and boutonnieres to prospective voters. The job of distributing the boutonnieres was given to the young women attached to the squads of electioneers. The *Mercury* noted that they were effective but inexperienced. "We noticed three ladies who wasted three hours time, a basket of bouquets and a whole heaven of smiles on a young gentleman only 19 years of age, trying to convince him of the existence of a coiled serpent in the bottom of the sparkling cup. . . ."[36]

Lunch tents, set up by the women, were ready for all comers almost as soon as the polls were open. One tent covered an entire lot, and throughout the day large quantities of food and coffee, tea, and lemonade were served. At noon a party of men visited one of the lunch tents, pledged to eat for an hour by the clock, bent on eating the tent out of provisions. In spite of their exertions, however, the supplies of the tent gave no sign of diminishing, and the project was finally abandoned.

Considerable attention was attracted by a band of fifty small children who paraded past each of the polling places, starting at ten o'clock, singing "Father, dear father, come home with me now." The center of attention, however, was Sallie Hart, a fiery, red-headed suffragette who moved about giving stump speeches for the no-licence cause. During the afternoon Miss Hart became the chief target of the liquor forces. Her remarks were drowned out by growls and catcalls, and finally the crowd commenced crushing in on her, until her escape was hurriedly managed by police. As the afternoon progressed the crowd grew increasingly drunken and violent, and an attempt to crush a group of no-license women against the wall of a building was broken up only after an extended struggle on the part of the police, temperance men, and some men from the prolicense party. A number of arrests were made by the police during the day. The outcome of the election was a clear victory for the liquor men. The vote was 918 to 1,430. The San Jose election was the biggest victory the license forces had yet won, and the one-hundred-gun salute fired in its honor was a recognition by the liquor men of the importance to be placed on these contests.[37]

The climax of the local-option campaign, the Alameda election of the following week, began bright in the morning with a festive air and ended in the afternon after an ugly, alcoholic mob forced the women into the temperance tent and roamed the streets threatening everyone who was inclined to vote for closing the saloons. At eight in the morning, the streets were crowded; men and women on both sides of the issue had arrived from San Francisco, Oakland, and elsewhere. The campaign of the liquor forces had been arranged on the previous evening at a meeting of the Saloonkeepers' Association, the Wholesale Liquor Dealers' Association, the Personal Liberty League, the German Saloon-Keepers' Society, the Grocers' Union, and the Trades' Union. Election-eve mass meetings were held by both sides, the temperance meeting being addressed by Sallie Hart and the Reverend C. V. Anthony.[38]

Both sides decided on tactical changes after learning the results of the San Jose election. The women crusaders dispensed with the services of the pretty young women with the boutonnieres. The liquor men, for their part, followed the lead of the women in erecting their own tent, near the women's lunch tent, and serving free lunches, washed down with free beer in place of lemonade. The electioneering continued without incident until ten o'clock, when the San Francisco German Saloon-Keepers' Society arrived, marching past the polling booths one hundred and fifty strong behind the United States Fourth Artillery Band. Past the polling place, the men broke formation and mingled with the crowd, jeering, shouting, and threatening the women. Increasingly the attention of the crowd centered on Sallie Hart, "bright, witty and active" and with "a tongue like a scorpion." Finally the crowd moved in on her, yelling threats and obscenities. Sallie Hart escaped to a store and from there was brought, with the aid of a large number of police and temperance men, to the temperance tent, which the police roped off and surrounded, fighting off the mob with their clubs.

Appeals by the leaders of the prolicense campaign quieted the mob for a time, and finally the mob was prevailed upon not to attack the tent if Sallie Hart would leave the area. So far as most of the women were concerned, however, the campaign was over. The few who dared venture forth to carry on their electioneering were driven off by the increasingly drunken mob. Having chased the women from the field, the mob diverted itself with a long-drawn-out mock funeral of Sallie Hart. Long before the closing of the polls the streets were almost entirely quiet. The result was again a victory for the prolicense forces, 201 to 108.[39]

Responsibility for the rioting was placed primarily on the San Francisco German Saloon-Keepers' Society rather than on the liquor forces as a whole, and the San Francisco *Chronicle* headlined its story of the affair "DIE WACHT AM RUM." However, though violent intimidation was officially no part of the campaign plans of the liquor forces, the inundation of the area in free beer, in violation of the election law, was done with official approval. The temperance people, the San Francisco *Post* commented, had roused a monster.

> The rum power, which received the organization of the Sons of Temperance, Dashaways, Good Templars and Temperance Legions with equanimity, looked with astonishment and then with alarm on the new crusade which the Local Option law inaugurated, and trembled at the new and potent force which came into the field, when women put their hands to the work.[40]

Sallie Hart was the heroine of the day in the evangelical press and in several of the other newspapers, notably the San Francisco *Post*. Most of the press, however, ignored or underplayed the affair, and the *Post* found in this oversight the workings of the liquor interests, newly united by the women's crusade.

> Without any direct and official communication the newspapers of San Francisco have been given to understand that the publication of anything obnoxious to the liquor interest would mark them out for a general and far-reaching vengeance; that their circulation would be stopped, not only in the liquor saloons and wholesale stores, and wherever the personal or business influence of the liquor dealers could reach them in the metropolis, but that the same course would be followed through the country.[41]

Thus the liquor interests inaugurated the bludgeon technique which they continued to apply to the newspapers until prohibition, and which they immediately resumed with repeal in 1933.

Sallie Hart was in the thick of the fight again in the following week, in the local-option election at San Leandro. She was again the center of attention; but the election went off without incident, aside from a few catcalls. The women were active also in the Alameda County township of Eden, in which the local-option election was again conducted without violence. Both townships voted for license. Thus all five Alameda County townships had voted on the issue, three in favor of license and two against.[42]

Local-option elections continued to be held in the latter part of July and in August, but there was a marked falling off of the elections as reported in the press. Perhaps the chief reasons were that elections had already been held in the most promising areas and that the pace was too exhausting for the women's temperance groups to maintain. It was

also true, however, that the surprisingly good results obtained at the polls did not have the anticipated effect on the saloons. The liquor dealers had pledged themselves to "defeat enforcement of the law," and this many of them did simply by continuing business as usual after no-license was voted in. In townships such as Rough and Ready, where opinion was solidly behind the measure, the law was complied with at once; but in Felton, more than a month after the township had declared for no-license, not a single saloon had closed. In the place of a clearcut fight aimed at destroying the saloon at one blow, the women were faced with the prospect of a tiresome, unending struggle to force the liquor dealers to sell alcohol only in amounts of five gallons or more. And in Rough and Ready, where victory was as nearly complete as possible, it was believed by some that drinking had increased as a consequence of the new system.[43]

A further deterrent to the no-saloon campaign was the growing belief that the law would be declared unconstitutional by the state supreme court. "Lawyers of standing are agreed as to the unconstitutionality of the enactment," the San Francisco *Bulletin* declared soon after the Alameda election. "Till that fact can be determined there would appear to be no reason for continuing to call elections."[44]

With an estimated fifty or sixty indictments for violation of the law pending in Oakland alone, the supreme court was petitioned on behalf of a Martinez saloonkeeper jailed for violating the law. The case came before the court in mid-August, and the decision was rendered late in September. By a three-to-two decision, the court declared the law unconstitutional on the grounds that it illegally delegated lawmaking authority to the townships and that it presupposed for the towns and townships governmental and police powers which had never been conferred upon them. With the court decision, the local-option campaign was officially at an end, and the temperance movement was once again adrift without a wind.[45]

The local-option elections may be viewed as democracy operating in its purest form; tiny city-states alive with argument, settling their own purely local problem at the polls. However, aside from the point that the issue was entirely one of denying members of the community a right they would otherwise possess, it was also manifestly true that whether the matter was settled democratically or not was almost completely beside the point as far as either side was concerned. Names such as Personal Liberty League and League of Freedom were euphemisms for the liquor industry, and few people had any illusions about

that industry's concern for democracy. Nor can a very good case be made for the temperance people on this score. "Truth and right," the temperance report of the California Methodist Conference had stated, "are not the products of majorities." The majority, perhaps, of the temperance men were determined to force prohibition on California if possible, irrespective of popular opinion, and local option was merely a preliminary agitation. Certainly, if the definition of democratic action included the willingness of either party to abide by the decision of the majority, the term would not fit the local-option campaign.[46]

Nor were the women operating in the spirit of democracy, descending on the polling places in hordes, buttonholing voters, drowning out the opposition speakers with loud songs and hallelujahs, and enticing the voters with meat, soft drink, and pretty girls with flowers. The women, however, had this justification: that as nonvoters they were excluded from the political privileges of the American democratic system. They were obliged to turn to some extralegal course, such as the women's crusade, if their opinions were to be given political effect. The crusade was, in fact, as much a woman-suffrage demonstration as it was a temperance campaign.

The woman-suffrage movement was already well launched in California by the mid-seventies. In 1872 a state woman-suffrage convention had refused to endorse a temperance plank despite strong temperance sentiment in the convention, preferring to concentrate on the suffrage issue rather than dissipate its strength on various other issues. Similarly, the women's temperance groups were organized for the sole purpose of temperance reform and hestitated to alienate allies by introducing the woman-suffrage issue.[47] Nevertheless, the relevance of the women's crusade to the suffrage issue was too obvious to be overlooked, and the *California Christian Advocate* warned:

> . . . "Woman-Suffrage" must be kept out of the discussion, or it will work defeat. Speakers, who are delighted with the work, and the success which women have in the local option fight, sometimes, very indiscreetly, turn aside to say a word in behalf of woman-suffrange; and temperance papers are wont to commit like blunders. . . . no "entangling alliances."[48]

The Presbyterian *Occident,* however, was already taking a view which the Methodist Church came increasingly to support.

> It is remarked that one very unexpected result of the inroad of the German Saloon Keepers Association upon Alameda is the creation of a sentiment favorable to female suffrage. We hear of persons who have always opposed it, who responded to Miss Sallie Hart's challenge to the Association when they assailed her: "Why

should not I—American born—have as good a right to come here and exert an influence in behalf of what I believe to be just, as you who are foreigners?" Anybody who saw the difference between this bright, educated, high-principled and high-spirited girl, and the rowdy, fierce, maudlin, besotted, desperate crowd, that tried its best to martyr her, would say: Surely this woman has a clearer view of right than these gross men who are heaping their "sans culotte" abuse on her.[49]

Sallie Hart was a suffragette as well as a temperance advocate, and surely she, with many others, went into the fight as much to dramatize the suffrage issue as to achieve local option. Viewed as a temperance fight the women's crusade had little permanent effect, but as a suffrage demonstration it was a victory of lasting importance. The victory did not extend to the camp of the Episcopal Church, whose *Pacific Churchman* entered a "solemn protest" against the proceedings, but inroads were certainly made in all the evangelical churches.[50]

One week before the supreme court declared local option unconstitutional, the executive committee of the California State Temperance Alliance held a meeting to map out long-range strategy. In a series of resolutions the committee outlined much the same policy which was to be adopted by the Anti-Saloon League in the years to come.

Resolved, That we urge to the members of local branch Alliances of temperance organizations and Christian churches, and other friends of public morals and decency, to regard all other political issues and party distinctions as of secondary importance; to take immediate and energetic measures to unite all the temperance elements of their respective localities at the ballot box....

Resolved, That we advise temperance voters in all local elections to sustain any reliable temperance candidates nominated by either political party....[51]

If the major parties offered the temperance men no hope whatever, the committee continued, the temperance men might nominate their own candidates, but it stressed the advisability of working within the two-party system.

A week later another organization called the California State Temperance League demanded a different line of action. It called for a state convention in November to organize an independent temperance party, declaring that on the basis of the local-option elections "we have the majority as far as tested, and believe we have the majority in the State." The State Temperance League held its convention on November 19, and the State Temperance Alliance held one on the previous day. The two conventions, held in San Francisco, mark the beginning in California of the split that divided the temperance movement into two bitterly opposed camps.[52]

The National Prohibition party had been formed in Chicago in 1869. At the time, the event had caused hardly a ripple in California, where the temperance movement was too feeble to launch any great enterprise. Organization of the State Temperance League in 1874 indicated that some temperance men in California felt that at last the time had come to form a California unit of the national party.

The movement in California was pointedly discouraged by the Methodist Conference, which resolved: "That, while we recognize all organizations of temperance as worthy of our commendation and support, we look upon the State Temperance Alliance with special favor as tending to aggregate and unify the temperance forces of the State."[53] The Presbyterian *Occident* was more outspoken, with a few home truths for the State Temperance League and its claim to a majority of the state vote, "as far as tested."

> We hear a good deal said about the organization of the New Temperance Political Party and generally with disapprobation.... it is said that it will be impossible to make temperance the leading question in our State politics. The Grangers have a just and more important claim. The Railroad question is not settled. As a balance weight voting for the best men it is said that the Temperance men would exert a vast influence. As a party it is feared they will effect nothing.[54]

The churches never deviated from this reliance on pressure politics rather than independent political action; but when the two conventions met in San Francisco, the State Temperance Alliance proved to be not so steadfast. Although the Alliance had been formed at the call of the Methodist Conference, it had been directed from its inception by officers of the Order of Good Templars. Shortly before the two temperance organizations held their conventions, Robert Thompson, president of both the State Alliance and the state organization of the Templars, met with the president of the State Temperance League and agreed to have a joint meeting, at which the temperance situation would be discussed and a temperance party organized. This secret agreement was announced at the convention of the State Temperance Alliance in the opening report of the president.

> Our organization has not as yet attempted an independent political status but rather sought to do what we could by holding the balance of power between rival candidates. The question arose in your Committee as to the advisability of an independent political body, and being unanimously in favor of a more vigorous policy, passed a series of resolutions... embodying our views.... To carry out the plan proposed we soon after issued a circular calling you to assemble for the purpose of taking into consideration the formation of a Temperance political party.... The State Temperance League has also called a Convention, and, in order that the two

bodies might have an opportunity to confer, they were called to meet about the same time and place.... By unanimous consent the Presidents of the two bodies entered into the following agreement: ... it is agreed that the representatives of the Alliance and League will act together, and the two assemblies shall constitute the Convention to organize a Temperance party without disturbing or interfering with the rules and regulations of either organization, the object being to unite the temperance vote.[55]

The president's report was less than candid in its statement that the Alliance convention had been called "for the purpose of taking into consideration the formation of a Temperance political party." No mention of such a party had been made in the resolutions drawn up by the executive committee, which on the contrary had recommended supporting candidates of either of the major parties. The report was at once bitterly attacked by members of the convention.

The report was referred to a special committee, which issued a majority report rejecting the recommendations of the president as far as the formation of an independent political party was concerned. The committee further denied that prohibition had been brought directly before the people in the local-option elections as the president had stated, and affirmed that an attempt to organize a party at this time would be suicidal. While agreeing to a joint convention with the State Temperance League for the purpose of organizing for political action, the majority report declared against associating with the League for the specific purpose of forming a new party.

Faced with a revolt in the convention, President Thompson asserted that he had thought the agreement was all right when he had signed it, but that if he had "made a miscue," he hoped the Alliance would "treat him easily in the matter." But the convention was not to be turned away by soft words. "The impression seemed to obtain," the San Francisco *Chronicle* reported, "that somebody was trying to put up a job on the Alliance, and deliver it over body and soul to the political clutches of the State League." After a "general rattle of miscellaneous discussion" and "motions and counter motions . . . in such rapid succession that the president lost all track of the course that the business had taken," the convention adopted a resolution which left unresolved the question of supporting an independent temperance party.

The joint convention of the League and the Alliance was held on the following day. The meeting passed a series of resolutions, including one calling for a state organization to be set up with a central committee to conduct the affairs of the organization as the committee deemed right

and proper, and specifying that the organization would be known as the Temperance Reform party.[56]

A meeting held the next day by the State Alliance on the question of approving the resolutions of the joint convention again brought forth bitter argument and recrimination, the ministers leading the attack against approval of the new party. The result of this final meeting was an unexpected although limited victory for President Thompson, when a resolution declaring it inexpedient to form such a party was passed over for one which ignored the whole question, stating only that the Alliance would continue its organization until success was achieved.[57]

The newly formed Temperance Reform Party Central Committee called a convention for the following June. The convention, attended by one hundred delegates, drew up a platform advocating that grocers selling liquor be required to obtain a license, demanding economy in government, regulation of railroads, an eight-hour day for working people, and the mingling of physical labor with school studies, and containing a number of other planks. John Bidwell, already the Dolly Varden candidate for governor, and W. E. Lovett were placed in nomination. On Bidwell's refusal to run on the ticket, Lovett was nominated. In the general election he received 356 votes, and the California Prohibition party was launched on the precarious existence it has maintained ever since, through which it has continually fought not only the liquor interests but also other temperance organizations which vied with the party for leadership of the dry movement.[58]

Four years after its formation the party again convened and nominated a slate of candidates, but it later withdrew the ticket from the field. In that year, however, the party saw the beginning of an official publication, the *California Voice,* which survived to claim, during the era of national prohibition, to be the oldest prohibition newspaper in the world. In 1882, as the Prohibition Home Protection party, the prohibitionists drew up a radical catchall platform similar to that of 1875 and increased their gubernatorial vote to 5,772. In 1886 their candidate received 6,432 votes. In subsequent elections still greater numbers of votes were obtained, but there was never the remotest chance of the party's electing a candidate except in local elections. Still, the activities of the party were not confined exclusively to losing elections, and it was yet to have its day of glory—in 1914 when it effectively called the tune on the issue of a prohibition referendum and forced the powerful, hostile, and reluctant Anti-Saloon League to fall in line.[59]

Much more to the taste of the churches was the National Woman's Christian Temperance Union. In 1875, a year after the W.C.T.U. was organized in Cleveland, Ohio, Mrs. G. A. Goddard arrived in California from the East and helped organize a Union in Sacramento, with the wife of M. C. Briggs, the veteran temperance leader, as president and the wife of W. H. Mills, the former secretary of the Good Templars, as secretary. The chapter lapsed after a brief existence.[60]

The disintegration of the women's crusade in California after the supreme court decision on local option was demonstrated by the weak response in the state to the formation of the national women's organization. Despite strong church pressure for the organization of branches of the W.C.T.U. in California,[61] five years passed before a state W.C.T.U. was successfully established. This organization was accomplished through the missionary work of a minister and his wife who had come from the East with instructions from the national headquarters to establish a branch in California. The state W.C.T.U. was organized in September, 1879, at Petaluma. There, according to an official report, the Union "launched its bark upon the great ocean of time" with six local groups representing a membership of less than two hundred women. It has remained afloat to the present day. By 1883 the W.C.T.U. in northern California was composed of twenty-two locals with about one thousand members. In the following year it was decided to divide the state into two separate Unions, because of the inconvenience of having to travel great distances to attend conventions.[62]

The state W.C.T.U. took its place almost at once as the most effective temperance organization in California. Its membership was still less than five thousand in 1892, but the Union exerted an influence out of proportion to its size, because of its strong church support, its unique ability to coöperate easily with all other temperance organizations, and because, unlike the fraternal societies, it devoted its energies almost entirely to agitation and reform work. On the model of the national W.C.T.U. the state organization set up many departments, thirty in all, each concentrating on a separate phase of temperance work, such as Legislation and Petitions, Literary Bodies and Juvenile work, and Fruits and Flowers. Two departments originated with the California Union: Viticulture and Song. Subordinate departments were organized in the local Unions, where, although operating with relative independence, they followed the general lead of the state department.[63]

From its inception the W.C.T.U. concentrated on plain, practical temperance work. Its first important activity was the opening of coffee

houses and free reading rooms in city areas where lunch facilities were almost monopolized by saloons. By the second annual meeting in 1881, coffee houses had been opened in San Francisco, Petaluma, San Jose, Modesto, and Salinas. The San Francisco coffee shop served from five to six hundred persons daily—principally clerks, printers, newsboys, bootblacks and messenger boys—and it showed a profit for the year of more than fifteen hundred dollars. A free reading room was opened next door, financed by profits from the coffee shop. In 1882 the San Francisco local began preparations for opening a cheap rooming house for women in the city.[64]

Another early activity of the locals was the sponsoring of essay contests in the public schools on the "Twin Evils of Intemperance and Tobacco." The San Francisco contest, the secretary reported, "occupied no small portion of the time and attention of our members, and it seemed a happy evening to all concerned, when Dr. R. H. McDonald bestowed on the successful contestants the many gold and silver prizes." These activities were carried on entirely on the responsibility of the local W.C.T.U. groups, but the uniformity of activities indicated that the lead of the state organization was faithfully followed.[65]

As the essay title indicated, the W.C.T.U. directed its energies against the smoking as well as the drinking habit. The attack was launched at the original meeting of the state convention, when it was resolved:

> That believing the use of tobacco an evil, and evil only in its effects, poisoning the system and corrupting both morals and manners, leading to and fostering an appetite for strong drink, we think it our duty to express our deprecation of the growing tendency to use tobacco in any form, and to labor earnestly for a wider circulation of the Anti-Tobacco pledge.[66]

The antitobacco campaign was a rather recent development in the California temperance movement. The first resolution against tobacco to be found in the minutes of the Methodist Conference was passed in 1860 and was mildly worded: "*Resolved,* That we express our opinion that the use of tobacco, except *medicinally,* is contrary to that rule of our discipline which forbids softness and needless self-indulgence, and more especially the conditions of disciplineship laid down by our Savior, which require us to deny ourselves, and take up our cross and follow Him."[67] Subsequent resolutions were more emphatic, and by 1875 the Methodist Church had hit its stride: "*Resolved,* The filthy intemperance of tobacco we will oppose by instruction and example."[68]

Henceforth antitobacco legislation became an important concern of

temperance organizations in general and of the W.C.T.U. in particular; these groups worked for legislation which would check the use of tobacco by minors, who, the W.C.T.U. declared, were "becoming dwarfed from the evil effects of tobacco."[69]

The one important legislative measure successfully sponsored by the Union in its early years was the Scientific Temperance Instruction Law, passed in 1887. At Sacramento a lobby of the W.C.T.U. agitated for the measure through the entire session, supported by a flood of petitions. A veteran senator told the head lobbyist that never before in his career had so many personal letters been written on behalf of a bill. A series of delays threatened to postpone the bill's passage indefinitely, but under the pressure of the women the bill was unanimously passed at the last minute by both houses.[70]

The Scientific Temperance Instruction Law was a cause ideally suited to the capabilities of the W.C.T.U., for, even though the women were helpless to enforce saloon laws, they were perfectly able to police the schools. By 1886 seven-eighths of all California schools had some sort of temperance physiology text book in use, and the women exerted themselves effectively to see that the standard of instruction was kept up to the mark. The temperance text books were selected by the Union's Department of Scientific Temperance Instruction. The text book recommended for use in the high schools was *Hygienic Physiology,* by Joel Dorman Steele. In choosing this book the state department followed the lead of the national department. *Hygienic Physiology,* dogmatic, detailed, and lurid, was designed to frighten school children into sobriety. The text stated that "alcohol is a poison."

> A quart drunk at a time would kill a man like a bullet. Diluted, as in wine or whisky, it dilates the blood-vessels, quickens the circulation, hastens the heart throbs, and accelerates the respiration. . . .
>
> Careful experiments show that two ounces of alcohol . . . increase the heart-beats 6000 in twenty-four hours . . . [equal to] lifting up a weight of seven tons to a height of one foot [or] seven ounces one foot high 1493 times each hour.[71]

The consumption of alcohol, the book taught, fills the blood with an irritating narcotic poison, checks the absorption of oxygen by the lungs, impedes digestion, clogs the brain, where the vascular enlargement reaches its height, and turns the liver quickly from yellow to green or black; it hardens and shrinks the liver of a drunkard or else swells it to twice or three times its normal size, and it has much the same effect on the kidneys. The book listed a staggering number of injuries to the muscular and nervous system for which it blamed the drink evil, and

effectively emphasized its points with illustrative anecdotes. "Dr. A. B. Hall of Boston states that he once bled a man who was dead drunk. The blood was caught in a bowl, and, on applying a match, the liquid blazed up at once."[72]

Children whose parents were not teetotalers were warned of what was in store for them in the section which described the transmission of the craving for alcohol from father to son: ". . . of all agents, alcohol is the most potent in establishing a heredity that exhibits itself in the destruction of the mind and body. . . . Men and women upon whom this dread inheritance has been forced are everywhere around us, bravely struggling to lead a sober life." "Practical questions" were listed at the conclusion of each chapter: "Show that alcohol is a narcotic poison. . . . Why is the skin of a drunkard always red and blotched? . . . What is the cause of the 'alcoholic chill'? . . . Why does alcohol tend to collect in the brain. . . . Is it a good plan to take a glass of liquor before dinner?"[73] In addition to its discussion of the effects of alcohol, the book allotted several pages to the physiological effects of the use of tobacco. By the time the Anti-Saloon League was ready to launch its campaign for state-wide prohibition, most voters under forty-five had been at one time put through this temperance indoctrination.

The women were almost as successful in their campaign to substitute grape juice for wine in the celebration of the Sacrament of the Lord's Supper. Headway had already been made in the Methodist Church, but the use of wine was almost universal in other churches at the time of the formation of the W.C.T.U. Very largely through the Union's efforts, wine was almost wholly replaced by grape juice in the evangelical churches. The California W.C.T.U., in common with other California temperance organizations, felt that the local wine industry gave it a special mission in the temperance movement, and pressed with particular vigor the campaign against sacramental wine. Mrs. S. M. M. Woodman, State Superintendent of the Viticultural Department, received the banner of the national superintendent year after year for performing the best work in the nation in this field. The use of unfermented grape juice, Mrs. Woodman declared, had saved the souls of numberless reformed drinkers who might otherwise have been overcome by the mere smell of wine and have gone "directly from the communion to the nearest saloon." The change from wine to grape juice served the purpose also of removing an implied religious sanction of alcoholic beverages, which had been the basis for an effective argument of the liquor interests.[74]

In other equally practical objectives the W.C.T.U. had less success. The attempt to enforce the law establishing a dry zone around the University of California failed when the jury disagreed on the cases prosecuted by the W.C.T.U. The continued agitation which followed, however, indicated that the women were seasoned to the fight, having accepted the fact that eternal vigilance was the price even of very limited gains in the temperance movement. This quality of patient perseverance gave the W.C.T.U. much of its effectiveness; an equally great source of power was its ability to work with all temperance groups. The W.C.T.U. was singled out in the temperance reports of the Methodist Conference and the Presbyterian Synod as particularly valuable to the temperance movement. It was given much favorable publicity in both *The Rescue* and the *California Voice,* including a special regular column in both newspapers. Later, when the Prohibition party and the Anti-Saloon League were battling each other, the W.C.T.U. remained on cordial terms with both organizations. The capacity to persevere untiringly for limited objectives gave the W.C.T.U. a special effectiveness in the period from 1880 to 1908, when the fortunes of the movement were low; and willingness to follow the lead of others gave it special effectiveness, after the rise of the Anti-Saloon League, in the struggle for total prohibition.[75]

Chapter IV

THE PROTESTANT MIGRATION, 1887–1897

By the end of the nineteenth century, when the United States as a whole was feeling the full impact of the flood of immigrants from the Catholic feudal lands of southeastern Europe, society in Catholic California was experiencing a separate immigration from the Protestant American East and Midwest. Beginning on a large scale with the southern California land boom of 1887, this "Pullman migration" has continued to the present day, reaching its peak load during the boom periods of 1886–1887, 1906, the 1920's, and the period that followed World War II. California society before 1887 was cosmopolitan and in large part Catholic; and as late as 1906 a United States census report showed that in California 58 per cent of those reporting church membership were Catholic, as against less than 37 per cent for the nation as a whole. The Protestant migration was from the first directed to the unpopulated lands of southern California, and with the boom of 1887 the dominant culture of that land became the culture of rural, Protestant, native, temperance-minded America. From that time until the repeal of prohibition, temperance in California was divided into distinct southern and northern California movements; the one aggressively successful, the other weak and defensive. Southern California, after the first big land boom, found itself with more than 17 per cent of the state's population, whereas in 1880 it had contained only 7.3 per cent; and as the population of southern California became proportionately larger, the power of the temperance movement in the state increased correspondingly.[1]

The contrast between the northern and southern parts of the state early became apparent to the *Pacific Wine and Spirits Review*. Observing the situation in 1894, the *Review* declared: "The facts might as well be looked straight in the face. The southern portion of this State is a perfect hot bed of ideas adverse to the liquor trade. We believe that if a straight clear cut vote were taken in the counties south of Tehachapi Pass the result would show a surprise to the license trade. . . ."[2] The division of the state at the Tehachapi Mountains, a clear-cut geographical as well as social division, was recognized by temperance forces in the state in the setting up of separate administrative units for the two sections. The W.C.T.U. divided into two separate administrative organizations in 1884, giving transportation difficulties as the main reason

for doing so, and the Anti-Saloon League organized separate units from the beginning, combining the two units only when the northern California division had passed out of existence for lack of local support.[3]

The immigration into America from southeastern Europe, which paralleled California's Protestant immigration, seemed to many Americans to threaten native democratic institutions, and American anxiety was compounded by new urban problems. An open continent had formerly absorbed much of the incoming population; the new immigrants collected in the ghettos of the sprawling cities, retained their alien customs, and offered much-enlarged opportunities to the corrupt urban political machines. The reaction of rural Protestant America to this new immigration and the rise of the godless city was the source of much of the success of the prohibition movement in the early twentieth century.[4]

In California the Protestant immigration resulted in the rapid rise of the city of Los Angeles, but Los Angeles for many years resisted those citified qualities which temperance men viewed so suspiciously in other metropolitan areas. The European immigrants, coming to New York or Chicago from countries mainly agricultural, were forced to adjust themselves to the slum life of the ghetto; the moderately well-to-do members of the "Pullman migration" refused to conform in this manner on arriving in Los Angeles. "In the process of settlement," Carey McWilliams writes, "they reverted to former practices and built, not a city, but a series of connecting villages."

> They wanted homes, not tenements, and homes meant villages. The grouping of the houses and the use of land was not determined by industrial considerations, for there was little industry. The ex-villagers gave Los Angeles its squat appearance, its flattened-out form.... it was really this home-owning impulse that spread Los Angeles into its present fabulous proportions.[5]

From the time of the boom, the many villages that made up Los Angeles were so many centers of furious temperance activity.

That preprohibition Los Angeles was a temperance stronghold was acknowledged by the drys as well as the wets. A Los Angeles clergyman, in a study of Los Angeles entitled *The Better City,* wrote that it was "an American City, being to a great extent made up of those who came first as tourists from the East and Middle West.... It is a city of churches and schools and civic bodies, deeply interested in the best. The type is that of the highest moral and ethical citizenship."[6] Nowhere did he find the beneficent nature of the city's Americanism more marked than in its temperance activities and in the manner in which it con-

trolled the liquor traffic. His views of Los Angeles morals were warmly seconded by Willard Huntington Wright, who declared that the character of the city had been formed by the "rural pietist obsessed with the spirit of village fellowship, of suburban respectability. . . ."

> Hypocrisy, like a vast fungus, has spread over the city's surface. . . . During the early morning hours no fru-fru of silk disturbs the sepulchral silence of the streets. . . . You will look in vain for the flashing eye, the painted cheek, the silken ankle. . . . The city's lights go out at twelve, and so does the drummer's hope. . . . The current belief in Los Angeles is that there is something inherently and inalienably indecent (or at least indelicate) in that segment of the day between 12 midnight and 5 a.m. . . . Los Angeles is overrun with militant moralists, connoisseurs of sin, experts on biological purity.[7]

The new immigration from Europe affected California as it did the rest of the nation, but it was mainly to San Francisco that these European newcomers went. By 1910, 68 per cent of the population of San Francisco was foreign born or the children of foreign born, while in Los Angeles County the foreign born and first-generation Americans made up but 35 per cent of the population. On the score of religious affiliation the contrast was equally extreme. In 1906 the population of Los Angeles was 56 per cent Protestant; of San Francisco, 15 per cent Protestant. Practically speaking, the contrast was still greater, since Mexicans made up a large part of the Catholic population of southern California, and they had been virtually deprived of political and social influence.[8]

The social contrast between the two cities developed in a period of nativism in America, a nativism which directed its attack against the foreign invasion, the rising city, and the growth of Catholicism. To many Americans the focal point of all these un-American, subversive forces was the saloon. The subversive nature of the saloon was spelled out by the California Methodist Conference report on temperance of 1880.

> About the setting sun of the nineteenth century there hovers a group of dark and portentous clouds. In these clouds there may be the brewing of a storm the strength and fury of which no man can either measure or foretell. It may be the center of a world-wide cyclone that shall test and tax the strength and resources of all human government, and even put civilization, society, and the moral fibre and life of humanity itself to the uttermost strain. There is a possibility that it may put Christianity on trial, afresh, for her very life. . . . In this raging battle, that has only begun, the powers of hell are not alone organized, but they are intensely unified, and come to the fray with solid and unwavering phalanx. . . . The king of this black legion of devils is the saloon power. . . . He has taken possession of our municipal governments from New York City down to the country village. . . . Also, this saloon power has turned some of our legislatures into Saturnalian orgies. . . .[9]

The association of the saloon with foreign subversion and Catholicism was explicitly made in a resolution of the Baptist Convention of California in 1894:

> That, as members in the denomination which was first to uphold the liberty of conscience and separation of church and state, we put ourselves on record as utterly opposed to any attempt to secularize the public schools, and to control our government in the interests of a foreign hierarchy, we believe in upholding American schools, American ideas, and American labor, and opposing the un-American saloon and the liquor traffic, and also the power of a foreign pontiff and a wily Jesuitism by our prayers, our efforts, and our voices.[10]

That foreign and Catholic influences were closely associated with the saloon was born out by statistics collected by David Starr Jordan, president of Stanford University. Jordan found in 1916 that of 86 wholesale liquor dealers in San Francisco, 42 had German names, and that 40 per cent of the San Francisco saloonkeepers had German names and about 30 per cent had Irish names. In presenting these statistics he declared that "beyond any doubt the great bulk of our corrupt influence, both financial and in law breaking, are in foreign elements."[11] Jordan's statistics were roughly similar to those compiled almost a half century earlier, estimating that 32 per cent of those engaged in the liquor traffic in San Francisco were German, 26 per cent were Irish, 19 per cent were American, and 5 per cent were English.[12] Jordan compiled his statistics on the eve of America's entry into World War I, when anti-German feeling was beginning to be a powerful weapon in the hands of the prohibitionists. But antiforeign sentiment in temperance circles was by no means a product of the World War. In the 1880's the prohibitionist *California Voice* had generalized freely about "every sot who beats his wife, every ignorant beer-swilling Mexican, Italian, Polak and other savage," and had exerted itself to fight off "the ignorant horde that Europe sends over here to rule America." In the face of this invasion the *Voice* had held out the hope "that if the brains of said rabble could be kept clear of stupifying beer and fiery whisky they would be better men, make better society, and not so many votes would go to the ballot box via the rum hole."[13]

The idea that the foreign "rabble" needed particularly careful watching received support from current racial theories. Many Protestants, while denouncing the blasphemy of Darwinian evolution, were yet unable to disbelieve similar theories which tended to show the racial superiority of Nordics or Anglo-Saxons over Romanic or Slavic or other classifications of people. The State Superintendent of the California W.C.T.U. Department of Heredity reported:

When Heredity was announced as one of the departments of study and work of the Women's Christian Temperance Union, the word was spoken by some with shamefulness, by others with great questioning and doubt as to the propriety of Christian women venturing into the depths of this dark, unexplored, and to some minds unhallowed theme.[14]

Nevertheless, the superintendent stated, heredity had become, as it should be, a household theme.

The W.C.T.U. set up also a Department for Foreign Work and a Department for German Work, but the results were disappointing. In San Francisco a local organization was formed of Russian Finns, but it "met with so much opposition from the men, that the women were finally obliged to surrender." A plan to organize a Union among the Japanese of the city failed "when the only two Japanese women who were capable of taking charge of the work were called from the city." The only such Union successfully established in the city, therefore, was the German Union. Of the organization's activities in the city as a whole, the report declared: "While the W.C.T.U. galaxy of fourteen Unions seems small compared to a population of nearly 300,000, yet it must be remembered that a large per cent—over one-half—are of a class of foreigners for whom the temperance question, as said the prophet of the coming Messiah: 'There is no beauty that they might desire it.' "[15]

To southern Californians the temperance question seemed far more attractive than it did to the northerners, and soon after the beginning of the twentieth century the Los Angeles W.C.T.U. was heralded as the largest of any city in the United States.[16] But even southern California had had its age of darkness. In the period before 1886 the southern part of the state had given little indication of the predilections toward temperance which were to characterize its later history, and in particular this was true of Los Angeles. Founded by Spaniards in 1781 "to serve as a guarantee of the stability of California," Los Angeles failed of its function during the Spanish tenure. The Franciscan fathers were unable to rouse the population to build a church in the town in the first forty years of their authority. Their efforts were partially successful in 1814, when the priests donated seven barrels of brandy for the cause, and the foundations of the church were laid, as Morrow Mayo wrote, "drink by drink." The supply of brandy ran out, however, with the completion of the foundation, and construction was halted for a number of years until another outlay of money and brandy resulted in the completion of the church in 1822.[17] Of the drinking habits of the townspeople, the San Gabriel priests wrote the governor that inebriety was "fast becoming a civic virtue."[18]

The gold rush depopulated the struggling town, and the "backwash filled it up again." Under American administration Los Angeles continued violently along the path of godlessness and intemperance. Harris Newmark, an early settler, tells of life there in the early 'fifties:

> In 1853, free-and-easy customs were in vogue in Los Angeles, permitting people in the ordinary affairs of life to do practically as they pleased. There were few if any restrictions; and if circumscribing City ordinances existed—except, perhaps, those of 1850 which, while licensing gaming places, forbade the playing of cards in the street—I do not remember what they were. As was the case in San Francisco, neither saloons nor gaming places were limited by law, and there were no regulations for their management. As many persons as could make a living in this manner kept such establishments, which were conspicuous amid the sights of the town.[19]

Although early Los Angeles matched San Francisco in its support of saloons, its support of churches, records show, was much less generous. Among the Protestant denominations the Methodists were the first in the field, holding church in the El Dorado Saloon in 1853. A number of pastors served successively for short terms, and then the church was discontinued for six years. The first Baptist minister to preach in Los Angeles armed his sons and kept his own gun in readiness on the altar to prevent the meeting from being broken up by local citizens. The first Baptist church was not erected until 1884.[20] When, in 1856, the Presbyterian minister in Los Angeles threw up his work in disgust, the Los Angeles *Star* was roused to comment on the "truly deplorable state of society . . . when there is a torrent of vice and immorality which obliterates all traces of the Christian Sabbath."[21] A Presbyterian church was not built until 1883. During the Civil War no Protestant services were given in the city except for occasional preaching for secessionists by a minister of the Methodist Church, South. By 1880, with a population of a little more than 10,000, Los Angeles had not yet entered its period of moral striving. Until then it owed its greatest fame to the race riot of 1871, when nineteen Chinese were murdered by a mob. Before 1880, according to Charles Willard, historian of the city, it was the "toughest town of the entire nation."[22]

The great transformation came with the coming of the railroads. Los Angeles, with poor harbor facilities and no railroad, was isolated from the rest of the nation until 1876. In that year the Southern Pacific line was completed between Los Angeles and San Francisco. There followed a short flurry of land speculation, immigration, boom, bust, and ten years of inactivity. Then in 1885 the Santa Fe Railway completed a competing line to Los Angeles, precipitating a brisk rate war, real or

feigned, between the two companies, which brought passenger rates from Kansas City at one time down to one dollar and attracted tourists to the area by the tens of thousands. The big boom and bust of the next two years left Los Angeles with a population of more than 50,000 in 1890. The Los Angeles Chamber of Commerce, established at that time, at once launched a campaign on a prodigious scale to attract settlers—farmers from the Midwest, particularly, and from the East. The sustained campaign met with sustained success. By 1900 the population of Los Angeles was more than 100,000, and it was, on the whole, precisely the kind of population the Chamber of Commerce had striven to attract: sober, Protestant, native Americans of moderate means. The campaign continued ceaselessly into the twentieth century. A measure of its success was the annual Iowa picnic, which attracted 408 Iowans in 1887, 3,000 in 1900, 6,000 in 1901, and 150,000 in the 1920's.[23]

Large-scale temperance activity awaited this "Pullman migration," but even in the dark days before the boom there were some temperance enclaves in Los Angeles County. In 1865 Compton was founded as a Methodist Church enterprise, intended from the beginning as a pledge to teetotalism. It is one of the oldest towns in the county and probably the first dry community. More important was the founding of Long Beach as a temperance community. A clause forbidding the sale of liquor under penalty of reversion of the property was inserted in the deed to every townsite except, apparently, two hotel sites, although later the prohibition clause was discarded for several other lots through quitclaim deeds. Prohibition continued to be a stormy issue in Long Beach; but the town, after several early falls from grace, remained true to its beginnings until, with the rest of the state, it voted for repeal of the Eighteenth Amendment. Prohibition of the sale of alcoholic liquor was included in all the deeds of all of the lots in the Ontario Colony, established in San Bernardino County in 1882 by George Chaffey. A model of a planned community, Ontario served as an example for a number of similar communities founded after the real-estate boom of 1886.[24]

At the time of the boom the only proved legal method of enforcing the prohibition of saloons in an area was through the stipulation in the title deed. Local option having been declared unconstitutional after its brief trial in 1874, the temperance people themselves despaired of passing any similar scheme through the courts. This was true despite the fact that a new constitution had been drawn up for California in 1879. The temperance issue had not been important in the struggle

which led to the new constitution, and it was eight years before temperance men anywhere in the state contended that sanction for local option was concealed somewhere in the new document. The point, once raised, however, received the overwhelming support of the state supreme court and ushered in a second period of local option, which lasted for twenty years. The legal fight to establish local option was waged in the staid settlement of Pasadena.[25]

Pasadena, settled by a temperate band from Indiana in 1873, was from the first a saloonless town. It maintained this status, not through title-deed legality but by reason of the steady temperance sentiment of the community. A grocer who stocked liquor in his Pasadena store in 1875 was compelled to stop the practice in the face of the stern public reaction. The saloon question was dormant for nine years. Then another Pasadena store owner put liquor on sale. The act was the signal for a temperance fight which resulted in the court victory of 1887. The answer to the grocer's challenge in 1884 was a mass meeting in Pasadena which passed the following resolution:

> WHEREAS, Many of us citizens of Pasadena procured land and built our homes in this settlement because it was a temperance community and we were led to believe that it would always continue thus; therefore,
>
> *Resolved,* That we regard the opening of this liquor saloon, under the circumstances, as a base injustice.... That, as law-abiding citizens, we demand of this State such a change in the laws of the commonwealth as will protect us and other communities from the curse of the liquor traffic, where this traffic is not desired by a majority of the people of that community.[26]

A Mutual Protection Association consisting of ministers and a representative of the W.C.T.U. was organized for the purpose of finding out what legal action could be brought against the liquor dealer. Finding no legal recourse, the committee, in March, 1885, drew up a document which stated: "*We agree* that *we will not patronize* or in any way give support to any person who is engaged in the indiscriminate sale of liquors in Pasadena, and that *we will not,* knowingly, *employ,* or retain in our employ, or *in any manner lend support* to any person who patronizes such traffic in our midst."[27] The document was signed by 282 taxpayers of the community, including 63 businessmen.

For more than a year the fight continued on this ground. Fifty workmen were discharged, it was reported, for drinking liquor or patronizing saloons. The strong backing of the community might well have defeated the liquor dealer had he received no outside support. According to a local newspaper, however, he was backed by Los Angeles

liquor interests, and he was further aided by the sudden development of the real-estate boom, which drew a new population of workmen to Pasadena. With the incorporation of Pasadena in 1886 his saloon was licensed. Agitation continued in the churches and in the W.C.T.U. Then, in February, 1887, the temperance-minded city council, despite the advice of the city attorney that any prohibitory ordinance would be illegal, passed an ordinance which had been devised by the ministers of the Mutual Protective Association. The ordinance was violated. The matter was taken to the courts, and in October, 1887, the state supreme court handed down a six-to-one decision upholding the constitutionality of the ordinance.[28]

Authority for the ordinance was found in the County Government Act and also in the Municipal Corporation Act, both passed in 1883 in conformity with the new state constitution, which gave the counties, cities, towns, and townships the power to enforce "all such local police, sanitary, and other regulations as are not in conflict with general laws." Prior to the adoption of the constitution of 1879 the local authorities had possessed only such powers as were expressly or by clear implication conferred on them by their charters, and it had been primarily on this ground that the local-option law of 1874 had been declared illegal.[29]

One of the most serious legal objections to the Pasadena ordinance was that it violated the Fourteenth Amendment by abridging the privileges and immunities of citizens and depriving persons of property without due process of law. In 1886, however, the United States Supreme Court handed down a series of decisions declaring that the right to sell intoxicating liquors was not one of the privileges which the states were forbidden to abridge. Further decisions by the federal Supreme Court in 1887 put beyond argument the legal right of state and local governments to close saloons without compensation to the owners. The liquor interests were therefore put in the position of having to campaign for the passage by the state legislature of a law prohibiting local option; and with the Pasadena decision the history of local option in California entered its second phase.[30]

In contrast to the short, sharp history of local option in 1874, local option after 1887 enjoyed an extended and comparatively unspectacular career. It continued in force until 1911, when the legislature passed a general local-option law more favorable to the temperance interests. The greatest weakness of local option of the kind established in Pasadena was its total reliance on the good will of local officers. Only the local officials could submit the question to the voters, and there was

no way to compel the officials to call an election on the issue or even to carry out wishes of the majority voting in an election. The Pasadena ordinance was not the signal for a violent temperance agitation like that which followed the passage of the law in 1874, but in the next few years no-license quietly extended itself over a wide area of the state.

By 1890 about fifty towns in southern California had attempted local option, while in northern California, Modoc County and a number of towns in other counties had gone dry. The movement reached a peak of success in 1894, when prohibitory ordinances were in force outside the municipalities in Riverside, Sutter, Humboldt, Lassen, and Lake counties, and when very high prices for liquor licenses had been imposed in Santa Clara, Los Angeles, Del Norte, Ventura, Santa Barbara, Merced, Shasta, and Alameda counties. Separate dry ordinances were required for the municipalities within the counties, and large numbers of such ordinances were passed soon after the announcement of the Pasadena decision. The rural areas of some counties went virtually dry on this piecemeal basis. No dry ordinance was passed for San Diego County as a whole in this period; nevertheless by 1890 there were very few saloons left in the county outside the city limits. The campaign against them had been waged partly through muncipal prohibition ordinances and partly by high-license and other restrictive measures. The presiding elder of the San Diego district of the Methodist Church declared in 1894 that of the forty "places" in his district, twenty-nine had elected to banish the saloons. The queen of the prohibition towns of the county was Fallbrook, one of the "celebrated spots in Southern California" according to the *California Voice*, where in the presidential election of 1888 thirty-three of the ninety-five voters cast their ballots for the Prohibitionist candidate. All title deeds to Fallbrook property contained prohibitory clauses, and Fallbrook, with its Francis Willard Hotel, was the frequent host to county temperance conventions.[31]

Elsewhere in San Diego County, where prohibitionist sentiment was not strong enough to vote out the saloon, a vigorous campaign to limit the number of saloons was waged. Oceanside reduced the number of its saloons—aided, perhaps, by the collapse of the real-estate boom—from about a dozen to two, principally through the imposition of high licenses; and the two remaining establishments were required to close every night at ten o'clock and to remain closed all day Sunday. Men who chose to drink in them were exposed to public view, since an ordinance had been passed prohibiting painted windows or screens at the front of saloons.[32]

Thus, while the centers of population were generally undisturbed by local option, much of the rural area was quietly drying up, even where hostility of the county supervisors ruled out the possibility of a county-wide ordinance. In 1889 Willits, in Mendocino County, was incorporated in an area of 126 miles, and the saloon was at once voted out of the area.[33]

In spite of the real gains made in the country under local option in the early 'nineties, the campaign was a discouraging one. Not only were small victories difficult to win, but once won they were difficult to retain, and if retained, they were difficult to enforce. That citizens were at the mercy of town officials was demonstrated in Redlands, where a local-option election which gave a majority decision for prohibition was ignored by the town trustees when some of the voters later declared that they had changed their minds. In some other places the local-option elections were won, only to be reversed in the next election. This was no problem in an area such as Potter Valley, where every vote had been cast for no-license in the election of 1874. It became a problem in all the towns the size of Pasadena or larger. Pomona, a thoroughly religious town centering around the Congregational college, was in a constant turmoil throughout the 'nineties over the no-license issue, the town being evenly divided between those favoring high-license and careful regulation and those favoring the abolition of the saloon. In 1895, after a two-year trial of high-license, a prohibitory ordinance was passed which was described by the *Pacific Wine and Spirits Review* as the most drastic in the history of the state. In addition to abolishing the saloon, the ordinance forbade the bringing of any liquor into the town.[34]

After the next municipal election, saloons were again admitted into Pomona, but they were subject to the most detailed supervision. Two saloons were established under the new ordinance. A $5,000 bond was required for each, and also a $500 license good for six months, paid for in advance. The saloonkeeper was required to be a resident of Pomona, and, if he hired a barkeeper, the character of the barkeeper was to be passed on by the city council. The saloon itself was required to be on the ground floor, even with the line of the street. Its front was to be more than half of clear glass. It was to be a single room with no furniture other than the bar and a single chair, on which only the bartender was allowed to sit. The saloon was to be so arranged that an unobstructed view of the entire bar could be had from the street. It was permitted to operate from 5 A.M. to 10 P.M., on week days only. No

intoxicants were to be sold to any female or to any male under twenty years of age, and if the relatives of a man complained of his drinking in the saloon, his name was to be posted on the saloon wall, and he was to be refused service. The *Wine and Spirits Review* supposed that "probably there never was a law governing the sale of intoxicants or regulating saloons like that which passed the Pomona City Council."[35] Notwithstanding all these regulations, *The Pacific* noted, a hotel porter in Pomona got drunk soon after the saloons were opened and set fire to the hotel. Two years later, in the next municipal election, officers were voted in who again instituted a prohibitory ordinance.[36]

Although Pomona was exceptionally severe in both its regulatory and its prohibitory ordinances, it was typical of many towns in the constant agitation which local option aroused. In Long Beach the issue led to the disincorporation of the city in 1896. After the incorporation of the city in 1888, one of the first actions taken by the municipal government was to pass a prohibitory ordinance. A saloon was licensed in 1896. The opposition to the saloon called an election to disincorporate the city and won; but the many difficulties of governing the disincorporated area soon led to its reincorporation, and saloons remained until they were voted out in 1900.[37]

The division of temperance opinion in Pomona and Long Beach between high-license and no-license policy reflected a similar division of opinion throughout the state. The policy of hampering the spread of saloons by heavy taxation first received widespread support throughout the nation in the early 1880's. The Prohibition party officially opposed the high-license policy in 1887 after a comparative study of saloons in high-license and low-license areas, a study which indicated to the party that the high price charged for licenses had entirely failed to reduce the amount of drinking. By 1889 the *California Voice* was roundly condemning high-license. The Prohibitionists maintained that the liquor interests themselves were agitating for high-license in areas where the alternative appeared to be prohibition. Other temperance men, however, continued to favor the policy, particularly in the large cities of Oakland and Los Angeles and in numerous communities in the northern part of the state, where prohibition was not a possibility.[38]

The difficulties of retaining and enforcing local prohibitory ordinances once they were established are evident in the subsequent history of the Pasadena ordinance itself. The temperance men had placed themselves in a difficult position from the first by making a secret bargain with a hotel in the town to permit the sale of liquor with meals in the hotel.

It was at once claimed that anybody in the business of selling meals could likewise serve liquor. These open attacks, combined with the surreptitious selling of liquor in restaurants and drugstores, stirred the temperance forces to call a mass meeting in August, 1888, which signaled the beginning of the Pasadena "Whisky War," a struggle which continued without final victory on either side until the coming of national prohibition.[39]

The Pasadena temperance men waged their fight in the proud consciousness that they were the architects of the new era of temperance activity in the state. The mass meeting in August resolved:

> That we regard the threatened opening of wholesale liquor houses in Pasadena as an open declaration of purpose to break down the moral prestige of Pasadena as an anti-saloon city, and that we organize at once for resolute resistance.
>
> That as Monrovia, Riverside, Elsinore, Compton, Long Beach, South Pasadena, Lompoc, and other cities have adopted the Pasadena anti-saloon law . . . we call upon them never to let their anti-saloon standard be lowered.[40]

Out of the meeting came the organization of an enforcement committee, which proceeded to ferret out malefactors. In the course of its activities the committee found the ordinance to be defective in several particulars, and it had to be voted on again in September. In the subsequent struggle the city trustees, in March, 1889, found it necessary to issue the following statement:

> WHEREAS, False reports have been circulated by the Los Angeles and other newspapers in regard to the prohibitory or anti-saloon law of Pasadena, we hereby state, for the information of all people who care to know, the following facts in the case:
>
> 1st. There is no open saloon within the city limits of Pasadena, though there probably are a few places where liquor is sold "on the sly."
>
> 2nd. The law against saloons is as well enforced as the laws against other forms of vice.
>
> 3d. The city authorities have never given permission to any hotel to keep a bar or sell liquor; and there is no hotel in the city keeping a bar.
>
> 4th. If any persons in the city are selling liquors otherwise than in accordance with the provision made for legitimate drug stores, they are doing it as outlaws. . . .
>
> 5th. Our last city election was a very decided majority expression in favor of the law as it is. . . .[41]

The fight continued between the Enforcement Committee, made up mainly of ministers, and the newly organized Protective League; and in 1890 a Citizens' Ticket was prepared for the April election, its candidates being pledged to permit the sale of liquor in hotels but opposed to the "promiscuous sale or use of intoxicating liquors." The result of the election was victory for all the candidates for the city council on the

Citizens' Ticket. The Enforcement Committee thereupon disbanded, stating that its object had been accomplished, that seventeen places had been closed because of illicit sales, that the funds were used up, and that the newly elected city trustees had promised not to permit the promiscuous sale of liquor.

For the next few years the sale of liquor continued in hotels and restaurants, and antisaloon prosecutions ceased. The saloon, meanwhile, remained a dominant issue in the city elections, and the candidates ran on nonpartisan tickets. Pasadena was overwhelmingly Republican; and when the temperance men in 1894 managed to write an antisaloon plank into the local Republican platform for the first time, the election of their candidates became a foregone conclusion. The victory was a temporary one, however. The issue continued to burn until 1912, when a campaign was launched to remove the troublesome issue from politics by writing whatever liquor control plan the people approved into the city charter, where it would not be subject to attack at each election. Two plans were submitted to the voters, one outlawing the sale or delivery of liquor in Pasadena; the other permitting the sale of liquor in hotels and permitting the city council to regulate the sale of beer and wine. To the surprise of both sides, the liberal amendment passed, and the issue was allowed to rest for a few years, until the campaign of 1917.[42]

By 1894 the experiment of either high-license or local prohibition had been made in almost every part of the state. San Francisco remained an exception. There the temperance people could claim but one small success—an ordinance prohibiting dives, which resulted in the closing of a few of the most disreputable saloons.[43] During the antidive fight *The Pacific* despaired of even this much success.

> This city is ruled by the saloons, no matter whether Republican or Democratic Party is in power. If we want municipal reform in the matter of dives, saloons or honest government, we must get it by a movement outside both of these parties as now constituted.... The better elements in this city are not organized, or if organized, they are in separate bands....[44]

In 1881, when the state supreme court declared a Sunday closing law constitutional, the League of Freedom, a San Francisco liquor organization, immediately organized a campaign of mass violation of the law. It advised all saloons to remain open on Sunday and had bail bonds prepared in advance to relieve arrested saloonkeepers of even momentary inconvenience. About two thousand arrests were made, and for every man arrested jury trials were demanded by the League. These

resulted in five convictions, several disagreements, many acquittals, and an extremely congested courtroom docket, according to the League. When the law was subsequently repealed the League remained in existence, to ward against further "infringements of personal liberty." When a high-license petition was submitted to the city council, the League of Freedom published the names of all the signers of the petition, sending it to all interested parties with the admonition that they "remember in the future those who by signing said petition endeavored to prevent thousands of persons from earning their support. . . ."[45]

Los Angeles, however, instituted Sunday closing, high license fees and many minor regulatory ordinances, and in 1899 passed an ordinance limiting the number of saloons in the city to two hundred, regardless of the growing population. In northern California Sunday closing of saloons was perhaps most successful in Santa Clara County. A Sunday closing ordinance was instituted in San Jose and this was followed by one in the town of Santa Clara. Then, when the saloons outside the city limits began to do a thriving business on Sunday as a consequence, the law was applied to the entire county.[46]

The Sunday closing campaign cost the temperance forces temporarily the support of one thoroughly temperance-minded religious sect, the Seventh-Day Adventists, who feared Sunday rest laws as the opening wedge for discriminatory action against the Adventists' observance of Saturday as their day of worship. The General Conference of the Seventh-Day Adventists in 1888 resolved: "That while we pledge ourselves to labor earnestly and zealously for the Prohibition of the liquor traffic, we hereby utter an earnest protest against connecting with the temperance movement any legislation which discriminates in favor of any religious class or institution. . . ."[47] The extent of their determination to oppose legislation requiring establishments to close on Sunday was indicated when, during consideration of the Sunday Rest bill in 1891, the Adventists joined with the delegation of freethinkers and of saloon men to express their disapproval of the legislation. "When will these three meet again?" *The Pacific* wondered editorially.[48]

In 1894 most of the various temperance forces of the state joined in a temperance congress in San Francisco to celebrate their successes and symbolize their unity. One day was given over to speeches by Good Templars and one to speeches by members of the W.C.T.U. During the week of the congress, eighty speeches were delivered on different facets of the temperance cause, and in the closing meeting a new united tem-

perance organization was founded.[49] "Whether another organization is needed for the best temperance work in this State remains to be seen," *The Pacific* commented. "We have so many organizations!"[50] The congress symbolized seven years of success in California, but it demonstrated also the serious weaknesses of the movement—a lack of unified direction and a wide disagreement about methods and aims. The successes had been made at the expense of a relatively disunited, unorganized liquor industry. In 1894 the industry went on the attack with the organization of the California State Protective Association, and for the next five years the temperance men found themselves again on the defensive.

Until the 'nineties, a "united saloon power" had not existed outside San Francisco, except in the minds of temperance men. In San Francisco some of the organizations developed to meet the attack of the women's crusade had continued to function, but it was not until 1894 that a state-wide liquor organization was successfully completed. In San Francisco the vast number of saloons in existence was itself a sign of the real disunity of saloonkeepers, for a strong organization would surely have addressed itself to the problem of limiting the extreme competition which the operation of so many saloons afforded.

Temperance men who spoke of the power of the organized saloon were also wont to speak admiringly of its devilish ingenuity in adapting itself to the desires of the people. Actually, the saloon was an extremely conservative institution, which had changed radically since the gold rush era only where forced to change by temperance legislation. The conservative tendencies of the saloonkeepers had been well justified by the great popularity of the saloon, a popularity which had continued undiminished since gold rush times. The unquenchable popularity of the saloon and the need for a saloon substitute was one of the knottiest problems the temperance men faced, and the failure of the attempted solutions was indicated in a survey of the San Francisco situation.

> The substitutes for the saloon are very few and mainly of an educational or religious character, especially in the "South of Market" region. They comprise branch Public Library Reading-Rooms, Salvation Army quarters, League of the Red Cross armories, the Episcopal Good Samaritan Mission, several boys' clubs, the Sailors' Home, other seamen's clubs, containing billiards, reading-rooms, etc. Taken together, it is clear that the extent to which all of these agencies enter into the competition with the . . . saloons is almost insignificant; and there is little or no cooperation among them.[51]

The saloons, in contrast, were found to be abundant and delightful.

Many were lavishly equipped; others were not, but "what the place lacks in fittings the saloon keeper makes up by his cordiality."

He knows the habitues, he greets them heartily, he establishes personal relations with the men, frequently loaning them small sums when they get in a "tight place," and becomes as nearly as anyone a real friend to the man who lives in boarding houses or tenements....

The saloon is a great meeting place for the young men both in the evening and on Sundays, for there is nothing even suggesting midnight or Sunday closing regulation.... "South of Market Street"... there are within an area of 64 rather small blocks 440 saloons.... In some cases married couples go to these saloons because fuel and lights are thus dispensed with, and because the place, bare though it may be, is really more comfortable and cheery than their own so-called homes.[52]

Jack London wrote an autobiography, *John Barleycorn*, concerning his experiences with alcohol in California. The book was written as an argument for prohibition, but in it the devil was given his due.

Saloonkeepers are notoriously good fellows. On an average they perform vastly greater generosities than do business men. When I simply had to have ten dollars, desperate, with no place to turn, I went to Johnny Heinhold. Several years had passed since I had been in his place or spent a cent across his bar. And when I went to borrow the ten dollars I didn't buy a drink, either. And Johnny Heinhold let me have the ten dollars, without security or interest.

More than once, in the brief days of my struggle for an education, I went to Johnny Heinhold to borrow money. When I entered the university, I borrowed forty dollars from him, without interest, without security, without buying a drink.... There were two places at which I could borrow money; a barber shop and a saloon. The barber charged me five per cent. per month in advance.... The other place to which I came in trouble was the saloon. This saloon keeper I had known by sight for a couple of years. I had never spent my money in his saloon, and even when I borrowed from him I didn't spend any money. Yet never did he refuse me any sum I asked of him.[53]

There were temperance men, such as Chester Rowell, who agreed that the saloons fulfilled a real need; but this circumstance served, Rowell maintained, only to give the saloon the power to do greater harm. "Morally," he wrote, "the liquor the saloon sells is usually the least part of the harm it does. The whole saloon atmosphere is opposed to ideals of every sort, moral, civic, and social.... Lemonade and Bartlett water sold in the American saloon does no physical hurt, but the atmosphere in which they are sold does immense civic harm."[54] Rowell conceded, however, that the temperance men were attempting to do away with the saloons without offering any substitute for them whatever. These "poor men's clubs," London maintained, were the only clubs to which he had access in his early years. He recalled a trip he made later in life, during which he stopped in a town to ask directions.

As soon as I arrived in a town, and put the horses up, on the way from the stable to the hotel I dropped into the saloons.... Well the first thing, a drink. "Have something yourself," to the barkeeper. And then, as we drink, my opening query about roads and stopping-places on ahead.

"Let me see," the barkeeper will say, "there's the road across Tarwater Divide. That used to be good. I was over it three years ago. But it was blocked this spring. ... Say, I'll tell what. I'll ask Jerry—" ...

And while Bill or Jerry or Tom is beginning to unlimber his thinking and speaking apparatus, I suggest that he join us in the drink ... other men join ...

Two or three more saloons, and I accumulate a warm jingle and come pretty close to knowing everybody in town, all about the town, and a fair deal about the surrounding country. I know the lawyers, editors, business men, local politicians, and the visiting ranchers, hunters, and miners, so that by evening, when Charmian and I stroll down the main street and back, she is astonished by the number of my acquaintances in that totally strange town.

... in the good days coming, when John Barleycorn will have been banished ... some other institution than the saloon will have to obtain ... where strange men and stranger men may get in touch, and meet, and know.[55]

As London indicated, except for the clergy, all classes of men—lawyers, editors, businessmen, politicians, and ranchers—congregated in the saloons. Even men like Rowell and Franklin Hichborn, who devoted themselves to the fight for prohibition in the second decade of the twentieth century, had themselves been occasional frequenters of saloons in the previous decades. By 1900 fifty years of temperance teaching had not perceptibly altered either the quality or the quantity of the saloon clientele.[56]

Customs in the saloons also had changed very little. Perhaps the greatest change was the increased control of the barkeeper over the size of the drink measured out, since the custom of handing the consumer a bottle and a glass to pour out his own drink seems to have died. Laws against adulteration of liquor, passed by the state legislature after the gold rush period, hedged the freedom of the saloonkeeper, if he observed the laws. The free lunch remained in many saloons, however, and the social customs were little different from those of the 'fifties. The custom of mandatory treating was loyally adhered to in the "poor men's club" saloons, and London agreed with others that much of the evil of the saloon was due to this custom alone. London gave the following tale as typical of the effects of the treating system on the San Francisco waterfront.

As we sailed up the San Francisco water-front, the moment the port doctor passed us the boarding-house runners were alongside in whitehall boats. They swarmed on board, each drumming for his own boarding-house, and each with a

bottle of free whisky inside his shirt. . . . We wanted none of their boarding-houses and none of their whisky. We were sober, thrifty sailormen, with better use for our money.

Came the paying off before the Shipping Commissioner. We emerged upon the sidewalk, each with a pocketful of money. About us, like buzzards, clustered the sharks and harpies. . . . We had been seven months together, and our paths were separating. One last farewell rite of comradeship remained. (Oh, it was the way, the custom.) "Come on, boys," said our sailing-master. There stood the inevitable adjacent saloon. . . . the sharks were thick on the sidewalk outside. Some of them even ventured inside, but we would have nothing to do with them.

. . . And the nineteen of us drank the sailing-master's treat. Then the mate looked at us with eloquent eyes and called for another round. We liked the mate just as well as the sailing-master. . . .

. . . There were six hunters, and each insisted . . . There were six boat-steerers and five boat-pullers and the same logic held with them. . . .

Nineteen rounds of drinks. . . . They were ripe to forget their dearly cherished plans. They rolled out of the saloon and into the arms of the sharks and harpies. They didn't last long. From two days to a week saw the end of their money and saw them being carted by the boarding-house master on board outward-bound ships. . . . where they were working out advance money which they had neither seen nor spent.[57]

With the ironclad treating custom went the association of heavy drinking with manliness. Throughout his early drinking days, London said, he "nursed secret and shameful desires for candy" and would occasionally buy a bag of candy, lock himself in his room and eat it secretly. For the sake of his reputation, however, he was obliged to drink man for man with his comrades in the public atmosphere of the saloon. Such drinking customs were obviously as dangerous to the customers as they were profitable to the saloonkeepers. The first treating round in which London took part comprised eight whiskies, at ten cents a drink. It represented, in the terms of the job London then held, eight hours of work, "gone like that, in a twinkling, leaving only a bad taste in my mouth."[58]

By the end of the century California was still supporting an unusually large number of saloons in proportion to its population, and San Francisco was still very much the saloon center of the state. The number of saloons in California, according to an estimate made in 1888, was 12,084, or one saloon to every 91 inhabitants and to every 16 voters. The only other area in the United States which was conceded so many saloons in proportion to its population was the sparsely populated area of Arizona and Nevada. Another estimate made of saloons in the major cities of the United States rated San Francisco as having several times more saloons in proportion to its population than any other city. New York and Chicago, the estimate computed, had slightly

less than half as many saloons in proportion to their populations, while Boston and Philadelphia had approximately one-ninth as many. San Francisco, the report noted, had 31 saloons to every place of public worship.[59]

Nowhere in the state were there fewer regulations governing the saloons, despite the antidive agitation of 1892. The San Francisco grand jury report of 1894 declared:

> Our examination has shown us that very many persons have licenses who should not have them, because they are law-breakers, and their saloons the resorts of lewd characters and the criminal element. Neither is it desirable that liquor saloons should be scattered promiscuously through the residence portions of the city, and in the immediate vicinity of public schools and churches.... At present, and as our laws and ordinances are administered, any one can apply for and obtain a license for the sale of liquor by paying for a grocery, restaurant or theatrical license, and the furnishing of a cracker with a drink deceives the judge and jury, covers the eyes of justice, and constitutes the mere liquor saloon or dive a grocery; or the furnishing of a sandwich or cracker and cheese with a bottle of beer elevates the mere dive to the dignity of a restaurant.[60]

The jury found that 5,640 places in the city were paying federal retail liquor licenses, including drugstores, groceries, wholesale liquor dealers, restaurants, and houses of prostitution. Of places mainly in the business of selling liquor there were at least 3,300, since that number paid the city retail liquor license. That there were many more saloons and liquor stores than that in the city was obvious, since many simply assumed the name of restaurants and grocery stores to avoid the city license. Houses of prostitution were likewise exempt from the city liquor license, being required only to take out the much cheaper lodging-house license. The grand jury found that,

> as these houses are not closed, and the sale of liquor there is neither licensed nor stopped, the remarkable result is arrived at that by keeping a house of ill fame a person cannot be called upon to pay a license for the sale of liquor at retail, and is not likely to be disturbed by the police for violating either the State law or the city ordinance.[61]

The saloons continued to operate without such restrictions as Sunday and midnight closing laws.

The character of California saloons varied from the wild lawlessness of the Barbary Coast in San Francisco to the decorum of Pomona's two showcases. Temperance men in general, however, refused to make distinctions. A saloon was a saloon. It was infinitely evil and therefore could not be graded. While a single saloon remained in the state, sin would flaunt itself. Faced with this kind of opposition, the liquor in-

terests were driven from making compromises, even if they otherwise would have been willing to do so. A spokesman for the liquor interests in Los Angeles declared: "The best liquor men are in favor of closing on Sunday. It is the worst day of the week. . . . The Sunday closing movement was opposed here because it was proposed by the temperance people, who are never satisfied with what they have."[62]

In the spring of 1894 the *Pacific Wine and Spirits Review,* noting the gains already made by the temperance forces in the few years just preceding, looked forward to further temperance gains that fall. "On every side the cold water people are active," it warned. It saw the "cranks" actively working for prohibition in more than a dozen counties, opposed by no coherent action from the liquor men. In the following month the *Review* saw hope in the organization of the wholesale liquor dealers in San Francisco. Part of the liquor industry had organized in 1889, after the Pasadena decision and the passage of the subsequent local prohibitory ordinances, with the announced purpose of effecting the passage by the state legislature of a uniform license law which would do away with both local-option and high-license practices. The organization in 1889, however, was in the main a San Francisco group, which apparently had been disappointed in the expectation of being joined by the Los Angeles liquor interests. In 1894, when liquor men felt that "the industry had reached a stage of opposition and attack when something had to be done or the entire business would be swept from the State," a more thoroughgoing attempt at organization was undertaken.[63]

The nucleus of the new organization was the wholesale liquor dealers of the state, most of whom were in San Francisco. Organizing under the name California Protective Association, the liquor men launched campaigns to defeat the temperance men in elections and court fights. After early successes they invited the retail liquor dealers to join their organization, and by 1896 the state liquor industry as a whole was organized for the first time in twenty years, according to the president of the California Protective Association.[64]

The new organized power of the liquor forces made itself known to the temperance men in the fall elections of 1894, when it was discovered that the liquor men had endorsed candidates in San Francisco who had agreed in writing to "support our cause," and that nine of the twelve new supervisors were on the saloon ticket, as well as three of San Francisco's state senators and fifteen of its eighteen assemblymen. Repeated attempts of the organization to obtain a uniform license

law failed, but the fights in the courts and in local elections were more rewarding. In three years time the California Protective Association had beaten back the inefficiently organized temperance forces. One by one the county prohibitory ordinances were revoked or nullified in the courts, and in the summer of 1897 the *Pacific Wine and Spirits Review* could contemplate the scene with deep satisfaction.

> Today there is peace. Prohibition is relegated practically to the rural county of Sutter and the one-lung settlements of Pasadena and Riverside. No threatening legislation is pending and as far as we know none is up in contemplation in any quarter of the State. . . .
>
> This desirable state of affairs is due almost solely to the California Protective Association. It was organized in 1894 when the business was being attacked in Lake, Merced and Humboldt counties. All of these difficulties have been settled although in the case of Merced the litigation lasted nearly two years. It has settled fight after fight in Los Angeles and Orange Counties. Two legislatures have convened and adjourned since it was formed without a single adverse bill going through. . . . Finally, it has resisted successfully every attack made on the business in Oakland and lately in Alameda. . . .[65]

Unquestionably the Association had turned back the temperance tide for the moment, but the Protestants continued to pour into California, and within a year the Anti-Saloon League was organized to give central direction and unity of purpose to the growing temperance army.

Chapter V

THE ANTI-SALOON LEAGUE, 1898–1908

In its official history of the California temperance movement the Anti-Saloon League dismissed all earlier temperance activity in the state as "but paving the way for the effective work that was later to be done" by the League. The clear turning point in the fortunes of the movement, it declared, was in 1898, the year the League began operations in California. From that point on, the temperance movement marched steadily forward to final victory under the League's firm direction. This interpretation emphasizes one important source of the League's power: its ability to assume in a thoroughly convincing manner all credit for temperance victories. This ability was extremely useful in enabling the League to maintain effective control over the divided movement.[1]

There was sufficient truth in the League's ungracious assumption of the credit to enable it to present a rather convincing case for itself. The League was without question the most powerful temperance organization that developed in the course of the California movement, and the gains made after 1898 were certainly made under League leadership. Had it not been for the League's firmly based organization and its skillfully opportunistic direction, it is hardly conceivable that the gains made for temperance after 1911 would have been so large. Furthermore, 1898 did mark a turning point in the fortunes of temperance. At a time when the dry areas of the state had been reduced to one county and a handful of towns, the League rallied the retreating forces to win back the territory lost to the liquor interests.

The major weakness in the League's claim to have led the temperance movement to victory is that, in ten years of fighting, the organization had done little more than return to the dry column areas which had been dry in 1894 before the liquor forces went on the attack. The really crucial turning point in the history of the California movement seems to have been not in 1898 but in 1910, the year of the Progressive victory in the state. On the eve of the Progressive victory the California temperance movement appeared to have reached the limit of its possibilities; immediately thereafter the League was able to lead the movement to a series of victories unprecedented in the history of the state. Those later victories appear to have resulted more directly from the Progressive victory than from the Anti-Saloon League's twelve-year struggle.[2]

The League also liked to emphasize the originality of its approach to the problem. Actually, the previous history of the temperance movement in the state had been marked by repeated attempts to form just such an interdenominational temperance organization, and the success of the League is perhaps less remarkable than the failure of all other attempts made since the State Temperance Alliance was formed in 1857. The evangelical churches in California were from the first agreed that temperance legislation was desirable and that it was the duty of the churches to fight for such legislation. In their attempts to unite against the drink evil, however, they had been repeatedly defeated by disagreements concerning methods, by the extreme party loyalty of most church members, who refused to desert their party over the temperance issue, and most of all by the interdenominational friction which made impossible any sustained interchurch temperance agitation. The Anti-Saloon League owed its success to its ability to overcome these difficulties. Previous temperance organizations in the state had offered the same solutions as those adopted by the League, but the League solutions worked, whereas the others did not.

Of the several previous attempts to form such an organization, the most nearly successful had been the State Temperance Alliance of 1873, organized at the call of the churches and strengthened by the success of the women's crusade. During its brief career, the Alliance, on paper at least, was based on almost the same principles that later were the basis of the Anti-Saloon League: it was an independent agency through which the churches and other organizations could combine for temperance agitation; it favored pressure politics within the two-party system rather than independent political action; and it sought to unify all temperance elements and concentrate the power of the movement by directing its attack on the single temperance issue—the saloon. The organization was doomed from the start, however, as far as the churches were concerned, when its leadership was assumed by the nonreligious Good Templars; and its usefulness to the churches came to an end in 1874 when the churches were defeated in their fight to disassociate the Alliance from the Prohibition party. Thereafter the churches had to rely for interdenominational temperance action on the agency of the Women's Christian Temperance Union until the resurgence of the temperance movement in the 'nineties.

So far as the ministers were concerned, to have the force of their authority in the field of temperance felt primarily through the efforts of their female parishioners was not the final solution. The churches

placed their reliance on the W.C.T.U. because that organization had succeeded, where the churches had failed, in achieving a measure of interdenominational unity. Although interchurch ministerial unions were established in the major towns in California, no vital temperance organization had developed from their efforts. Coöperation was easier for the women because, not holding positions of authority in the churches, they could coöperate without compromising the independence of the churches to which they belonged.[3] Nevertheless, the W.C.T.U. was torn by sectarian rivalry on occasion. The Chico W.C.T.U. was at one point nearly destroyed by such rivalry, despite the prestige of its president, Annie E. K. Bidwell, a prominent figure in the national temperance movement and the wife of the presidential candidate of the Prohibition party. The Baptist minister of Chico, feeling that Mrs. Bidwell was associating W.C.T.U. activities too intimately with her own Presbyterian church made his position clear to her in a letter endorsed by two other Chico ministers.

> Now had it ever occurred to you and your W.C.T.U. workers that to place your supposed interdenominational work in the hand of your own church and under the advice of your own pastor . . . might not suit other churches. . . . Had it occurred to you that we are not entirely willing that our identity be entirely lost while that of your church is kept before the congregations and public. . . . Now if you wish to reach such as may be reached through Presbyterian channels, then I have nothing to say. . . . This feeling is quite general in Chico. . . . Now if you want our congregations you *must* consult our *pastors* at least I must be consulted. . . . You must not put the W.C.T.U. in front and the churches and pastors behind . . . let us council [sic.] with you as to arrangement else wise our churches and congregation are not at your service.
>
> Lovingly written, etc.[4]

An equally bitter letter followed. The quarrel was brought into the Chico ministerial union and resulted in disrupting the union. The issue continued to be a bitter one for more than a year. "The fact is," *The Pacific* had declared in 1891, "that the church is not likely to be what it ought to be. We shall all have to get along against the saloon, and against other evils, with churches that are not united."[5]

Added to the churches' jealous regard for their own independence was the further impediment that church congregations and the ministers themselves were by no means united in temperance sentiment. The temperance platforms of church conferences were more likely to reflect the sentiments of the committee on temperance than the sentiments of the church members as a whole. The fact was made apparent in the results of a questionnaire sent out by the temperance committee

of the Association of Congregational Ministers of California in 1890. The Congregational churches had been at the forefront of the temperance fight from the days of the gold rush, but the results of the questionnaire indicated that individual congregations lagged behind. Of one hundred churches questioned by the temperance committee only thirty-four took the trouble to answer. On the basis of the results, the temperance committee found that "our record as churches is shameful." Only three of the thirty-four churches reported a total-abstinence pledge which the members were invited to sign, and only seven reported any kind of temperance committee. Asked whether the church opposed the licensing of the liquor traffic, twenty-one churches answered yes, three were undecided, two replied ambiguously, six gave no answer, and one voted for high-license. "As with many things in California," the committee decided, "there seems, in this, to be a desire to keep the children straight, without any idea of giving them the benefit of an example."[6]

The confirmed party loyalty which handicapped most church members meant, as far as the California movement was concerned, loyalty to the Republican party, since the northern branches of the churches had led the temperance fight in California. As *The Occident* had predicted, only an insignificant number of churchgoers had been willing to desert their party to vote the Prohibition ticket. Since both major parties were thoroughly wet in California in the 'nineties, extreme party loyalty was an effective block to temperance legislation. The Democratic party, seeking the urban and foreign-born vote, had declared itself absolutely opposed to temperance legislation. The Republican party had treated the issue more gently, and the hope continued to be nourished by some temperance men that the party of antislavery would stir itself to become the antiliquor party. The hope had all but died by the late 'eighties as a consequence of the Republicans' "cowardly evasions, cold indifference and the nomination of such candidates as clearly indicated that they preferred to protect the liquor traffic." In 1894 the Republican party in California openly opposed both local option and high-license. *The Pacific* commented that "thousands of Christians in this State do not make themselves felt in politics as Christian men." The rising Populist party also failed to present itself to the churches as the party that would solve the problem.[7]

The Anti-Saloon League, operating as a pressure group within the two-party system and concentrating its attack on one objective, elimi

nation of the saloon, managed to overcome the obstacles of party loyalty and divided temperance opinion. It was able to do so because the greatest obstacle to previous temperance movements, interdenominational jealousy, had begun to wane rapidly by the end of the century. A general trend toward closer coöperation among Protestant churches was already under way throughout the nation, manifesting itself clearly in the establishment of the Federated Council of the Churches of Christ in 1906. This increased coöperation was made possible by the breaking down of harsh doctrinal differences among the various evangelical sects and by the need for unity in the face of threats from Darwinism, from the new Bible scholarship, and from the growing power of the Catholic Church in America. The successful development of the Anti-Saloon League as a federation of churches for temperance work was but one of several manifestations of this growing unity. In California during the 'nineties the trend was evidenced by several independent temperance movements which paralleled the development of the League nationally. By the time the national League had established a branch in California, the temperance forces in the state were well prepared for it.[8]

In September, 1890, an antisaloon alliance was tentatively organized by the ministers of San Francisco, only to fall apart in disagreement over the question of the means to be employed to combat the liquor interests. The attempt was one of a number being made in the state, some of which resulted in platforms advocating high-license, and others in the abolition of the saloon.[9] The conflicting aims of temperance men highlighted by the activities of the alliance turned the temperance committee of the Methodist conference to prayer: "May heaven raise up for us another Moses . . . that all can clearly see the way out of this *howling* wilderness of diverse methods and opinions into the promised land of Prohibition."[10]

The Methodist Church had consistently been the most powerful agent for temperance among the California churches, but in the 'nineties it was the Congregational Church which took the lead in uniting the denominations in the temperance drive. In 1889 a permanent Committee on Temperance was organized at the General Association of the Congregational Churches, with the mission of uniting the temperance forces of the state in one organized antiliquor effort. The considerably larger Methodist and Presbyterian churches did not commit themselves in their state meetings to any such interchurch program until the state Anti-Saloon League had actually been formed. The Presbyterian

Church repeatedly urged its own members to organize against the liquor traffic within their own local churches, and the Methodist Conference in 1893 recommended the appointment of a permanent committee on temperance for the purpose of organizing the whole Methodist Church into a temperance army; but apparently the temperance committee of neither church contemplated any interdenominational scheme.[11]

Leader of the campaign for such an organization was W. H. McDougal, a minister of the Congregational Church. McDougal outlined a plan before the Congregational ministers of San Francisco in 1889 for uniting the temperance forces of the state on the single issue of the saloon. In April, 1895, McDougal's plan was finally put into effect in Oakland in the organization of the Council for the Suppression of the Saloon. The distinguishing feature of the Council, McDougal declared, was the singleness of its aim: opposition to the saloon. It was hoped thus to avoid the division of aim which had weakened previous movements. The Council was immediately successful. In Oakland all temperance organizations and many religious and benevolent groups joined the Council to support the Sunday closing movement already under way. In the face of this massed display the city council passed the Sunday closing ordinance by a vote of seven to four, and after this victory similar groups were rapidly organized in Berkeley, San Jose, Los Angeles, Riverside, and Pasadena. In Los Angeles the Methodist ministers drew up the original plan of organization, inviting the Congregational ministers to join them. The plan, after a number of alterations by the Congregational ministers, was approved by the ministerial union of Los Angeles and was adopted by other temperance groups of the county, including the Prohibition party. The novelty offered by the Los Angeles league was a pledge which all members signed to vote for no man who would not commit himself to do all he could legally to overthrow the saloon.[12]

The new development of Councils, or Anti-Saloon Leagues, as some were called, proved to be as short-lived as any of the previous temperance federations. The Oakland Council soon met with reverses and collapsed, and McDougal himself felt that of all the new organizations only the one in Pasadena had shown any persistent energy. Meanwhile the national Anti-Saloon League was being organized in the East on almost the same principles. The failure of the local Anti-Saloon Leagues in the mid-nineties is in part explained by the aggressive opposition of the liquor interests, thoroughly organized on a state-wide basis for

the first time since the women's crusade. The California Protective Association was at the height of its success in 1897, faced by no effective organized opposition other than that provided by the W.C.T.U. In that year the national president of the Anti-Saloon League, Howard Russell, came to California for an extended campaign throughout the state to raise funds and to found a state unit. The state was divided into a northern and a southern division, and a minister was appointed to head each organization. In April, 1898, the California State Anti-Saloon League was launched on its active career when E. S. Chapman, pastor of an Oakland Presbyterian church, was appointed superintendent of the League for the whole state.[13]

The survival of the League in its first years in California was due mainly to the efforts of Superintendent Chapman. In his own words, "Absolutely alone save for God's presence, and without one dollar in funds or valid pledges, I entered upon the work on the first day of April, 1898."[14] For several years the League's only full-time worker, Chapman exerted himself tirelessly to raise money and followers for the League. Although more than sixty years old at the time he assumed the position, he continued to direct the League for sixteen years in a manner which drew respect from the liquor interests as well as from the drys.[15] Among his many admirers in the dry movement, none was more outspoken in his praise than Chapman himself. "More costly than rubies," he once wrote, "have been the contributions I have made to this work."[16]

An eloquent speaker and tireless fighter, Chapman was admirably equipped to begin the Anti-Saloon League's fight in California. On assuming office he made it a condition of his acceptance that "the beverage liquor traffic shall be regarded and dealt with, not as a business, but as a crime."[17] A nationally famous speaker in temperance circles, he was noted in particular for his speech, "The Czolgosz of Trade and Commerce," in which he elaborated on the theme that the liquor traffic was a greater criminal than the assassin of President McKinley. The delivery of this speech was said to have been the high point of the national League convention in 1904. According to one witness:

> The first sentence of that address seemed to thrill the audience like an electric shock. . . .
>
> And when, at the close, the venerable reformer—after delivering a peroration that melted every heart—with tears streaming down his cheeks retired to the rear of the platform the pent-up enthusiasm burst forth . . . until the audience became one vast sea of waving handkerchiefs. . . .
>
> As Dr. Chapman returned to his seat at the rear of the platform the leaders gathered about him, some weeping and all manifesting deep emotion.[18]

This ability of Chapman to arouse emotion in temperance men, his tireless devotion to the work, and his ironbound self-confidence combined to make him an effective leader, at a time when the League's major problem was winning church support and fighting off attacks from the antagonistic Prohibition party.

The Anti-Saloon League did receive immediate official support from the evangelical churches in California, and it was strengthened by the already considerable prestige of the national organization.[19] Nevertheless, it moved slowly at first, in the face of the organized opposition of the liquor interests and the jealousy and suspicions of old-line Prohibitionists. Attempting to win the confidence of all the temperance elements, the League issued the following resolution:

> Recognizing the fact that there are yet outside of the League many organizations in the United States, the object of whose formation is wholly or in part the suppression of the legalized American Saloon, therefore be it
>
> *Resolved,* That we welcome all such organizations to affiliation with us in accordance with Article III of our Constitution, and assure them that such affiliation does not in any way hinder them from pursuing the accomplishment of this common purpose IN THEIR OWN WAY; and we extend to all such organizations, whether religious, moral, benevolent or political the assurance of our hearty sympathy and assistance wherever possible.[20]

The League policy, however, was explicitly one of opportunistic politics within the two-party system, and it was inevitable that it should place itself in constant opposition to the Prohibition party.

After more than a year of quiet organizational activity, the Anti-Saloon League launched its first active campaign with prohibitory ordinance elections in Pomona and Berkeley. The result was victory in both towns for officers pledged to pass dry ordinances. The Berkeley election was in particular an important victory for the League, since Berkeley had never voted dry before and was situated near the wet center of the state. The selection of Berkeley for the first campaign had been dictated by the fact that the long-standing dry zone around the university presented a sharp contrast to the adjacent section, giving the drys a telling argument. The resulting ordinance was one of the strictest ever passed in the state, since it apparently prohibited even the serving of drinks to friends in private homes.[21] The liquor interests immediately brought legal action, and on November 26, 1900, the state supreme court upheld the ordinance on the ground that "a city or town has absolute power to control, regulate or prohibit the sale of all liquors, providing the inter-state commerce laws affecting the same are not interfered with." "This is a plain victory for the Anti-Saloon

League," the *Pacific Wine and Spirits Review* declared, "and will, with other things happening in the State these days open the eyes of the trade to the fact that they have an active and fearless foe in the field all the time."[22] The Berkeley victory, except for the court decision, proved of little value to the cause. The town marshal consistently refused to enforce the ordinance, and in 1901 the ordinance was repealed by the "successors of Judas Iscariot," as the League described the Berkeley city trustees.[23]

By 1900 the Anti-Saloon League was ready, in southern California at least, to launch campaigns on a wider front. The stated policy of the California League at that stage was to exploit existing laws rather than press for new ones, and, thanks primarily to the work of the W.C.T.U., it found several legal avenues open to it. The two most promising avenues appeared to be the Sanitary District Law passed in 1891, and subsequently amended several times, and the County Government Act, passed in 1897. The Sanitary District Law authorized the setting up of elected governing bodies, similar to school boards of trustees, on the precinct level. The county board of supervisors, under the law, was required to form such a sanitary district if the electors in the district voted in favor of it. The sanitary district having been established, the electors then voted for a sanitary board of five members, who had the authority to exclude saloons and retail liquor stores from the district. Under the County Government Act citizens might petition for a local- option election in the counties outside the municipal areas. Temperance men hoped for little from either law at the time of passage, but in the summer of 1899 the Anti-Saloon League of southern California launched its campaign for sanitary district prohibition with two test cases in Los Angeles County. In the meantime, petitions were circulated for county option elections in Santa Clara, Santa Cruz, and Tulare counties in northern California, and in most of the counties of southern California. City elections were also held, and dry victories were registered in Corona and Long Beach.[24]

By the end of 1901 both the County Government Act and the Sanitary District Act had been declared unconstitutional by the state supreme court as giving the electors greater initiative in the control of local affairs than had been contemplated in the Constitution of 1879. In the meantime, the number of dry counties had again increased to 5, and 175 cities and towns in California had adopted prohibitory ordinances. The campaigns were waged generally by county units of the Anti-Saloon League in close coöperation with the W.C.T.U. locals.[25]

Existing prohibitory ordinances remained in force despite the supreme court rulings, and city and county officers might still institute new ordinances on their own responsibility and also call for an advisory vote to guide them in their decisions. When the sanitary district plan proved unconstitutional, the League turned to a new method, precinct option. This method was upheld by the courts and served much the same purpose as the Sanitary District Law. When San Diego County failed to return a majority for county prohibition in 1900, the supervisors were persuaded to pass a precinct-option ordinance according to which applicants for liquor licenses in unincorporated areas of the county were required to obtain the signatures of a majority of the voters of the precinct in which the saloon was to be located. By 1909, seven counties, including Alameda and Los Angeles, had adopted precinct option.[26]

Los Angeles was the core of the southern California Anti-Saloon League, and the League's rising power was based on the immigration from the Midwest, which in the first decade of the twentieth century far surpassed anything in the previous experience of the county. From 170,298 in 1900, the population of Los Angeles increased to 504,131 by 1910, making that city the largest in the state. The League went on the attack early in Los Angeles. Working in close coöperation with the Los Angeles ministerial union, the League persuaded the city council in 1899 to pass an ordinance which, while extending the closing hour of the saloons from midnight to one o'clock, limited the number of saloons in the city to two hundred and established a saloon district outside the residential areas. The ordinance also permitted the serving of wines and liquors in hotels and restaurants. In view of the rapid expansion of the city, the new ordinance represented a substantial victory for the League.[27]

In 1901 the Anti-Saloon League launched the second phase of its piecemeal attack on the Los Angeles liquor traffic, persuading the board of supervisors to pass an ordinance calling for precinct option in the county.[28] Fourteen months later the League had secured the denial of seventy licenses in the county under this ordinance, leaving only thirty saloons in the rural area of the county. Such a flurry of activity as this gave the *Pacific Wine and Spirits Review* food for thought: ". . . the liquor trade has been put on the run, and it is only a question of time, unless the saloon men have the forethought to organize and fight, when this condition of affairs will spread steadily throughout the State."[29]

The success of the League in suppressing the saloons in the county was matched by its success in achieving general enforcement of the laws. When J. D. Fredericks became district attorney for Los Angeles County in 1903, the Anti-Saloon League declared, there had been seventy social clubs selling liquor in the county illegally, all but two or three of which had been put out of business in the first few months of Fredericks' assuming office. Encouraged by these early successes, the League decided on a no-license campaign for the city of Los Angeles in 1904. At this point it came under bitter attack from the Prohibition party.[30]

Los Angeles County was the center of strength for the state Prohibition party as well as for the Anti-Saloon League, and it was there that most of the major struggles between the two organizations were waged. The stated objection of the Prohibition party to the Los Angeles no-saloon campaign was that it proposed to concentrate on getting rid of the saloons while it permitted wholesale and retail liquor stores to continue in operation. The party considered this halfway measure a compromise with evil; undoubtedly it was fortified in this doctrinaire attitude by the dictatorial manner of its new competitor in the temperance field. The Prohibitionist *California Voice* charged that the League had earlier refused to coöperate in a united temperance campaign proposed by the Prohibitionists, Good Templars, W.C.T.U., and others; and that the older dry organizations had been preparing to launch their own dry campaign in Los Angeles, when they were met by the announcement in the papers that the League was undertaking its no-saloon campaign. The League's campaign went down to defeat, and the *Voice* declared that, while Prohibitionists almost to a man had entered the League's fight, they would not do so again.[31]

The constant point of contention between the Prohibition party and the League was the refusal of the League to support Prohibitionist candidates. The *Voice,* commenting on a recent Los Angeles election, declared:

> When the Anti-Saloon League in this city worked, spent money, and voted for Patterson and Wilson for Supervisors, they were working and spending money and voting for, "good men" . . . in the license party. The result is, that they worked, spent money, and voted for two men who have licensed more murder-mills in Los Angeles county than any other two men in the country.[32]

In 1909, when George Alexander, a temperance-minded supervisor, whom the League had vigorously supported for six years, ran for mayor, the Prohibition party split over the issue of supporting him.

The objection that he represented a political party which supported the liquor traffic did not apply, since he was runing on a nonpartisan ticket. However, on the grounds that Alexander had voted as a supervisor to grant liquor licenses in precincts which indicated majority approval of saloons, the Federation of Prohibition Clubs of Los Angeles nominated a Prohibitionist candidate to oppose him.[33]

The League as a matter of policy refused to take official notice of the Prohibitionist opposition. The party was given a standing invitation to coöperate with the League, but the League ignored the activities of the party except when forced to coöperate by occasional aggressive independent moves of the party. Under League direction Los Angeles continued to dry up bit by bit. After the election of 1910, saloons had been voted out of all but six of the seventy-three rural precincts of the county, and public pool halls had been voted out of all but sixteen of them, on the grounds that the pool halls were centers of illicit liquor sales. All but eight precincts had voted out hotel and restaurant liquor sales as well. In the city itself, a zoning ordinance was passed closing off two-thirds of the city to saloons. Those already in operation in the area were allowed temporarily to remain, but by the end of 1910 the last saloon in the restricted area had been closed by the police.[34]

In 1908, after ten years of agitation, the California Anti-Saloon League looked at the record and felt justified in declaring that its formation had marked the turning point in the fortunes of temperance in the state. In 1898, it declared, only Sutter County and "ten small places" were under prohibition. "Today there are over fifty incorporated cities and many scores of towns and villages which have prohibitory ordinances, and several others would have if the will of the people were law. At least five counties have precinct option ordinances under which there are more than 150 'dry' precincts and less than 60 'wet' ones."[35]

The League had indeed won ground from the liquor forces, but the impression given that the League was winning its victories throughout the state was a false one. Most of its successes to that date were in southern California, and most of these victories had been achieved by 1901. By that date three of the eight counties in the jurisdiction of the southern California League were under prohibitory ordinances and three others enjoyed precinct option. In 1900 the League claimed 175 cities and towns under prohibitory ordinances; by 1909, only 5 more. The League was perhaps solidifying its position in southern California and exerting a constant pressure on the liquor traffic there; but so far

as actual gains for the dry cause were concerned, its record between 1901 and 1908 was certainly not impressive. In northern California the situation was much worse. In addition to Sutter County, county option had been won only in the sparsely settled counties of Del Norte and Modoc. Five northern counties had passed precinct-option ordinances, but of the nineteen sizable communities in the state that had gone dry, only one, Tulare, was north of the Tehachapi. In 1907 the northern division of the League, lacking local support, found itself unable to remain in existence. In that year it requested the National Headquarters Committee of the League to ask the southern California division to extend its activities throughout the whole state. The southern division accepted the call, and the northern division passed out of existence, leaving behind it "no financial or other resources," according to Superintendent Chapman.[36]

If the southern California division could show only modest recent gains by that time, it demonstrated its own vitality as an organization not only by extending its jurisdiction throughout the state but also by assuming jurisdiction of the Oregon League for several years and by organizing League work in the Territory of Hawaii. In addition, the southern California League took an active part throughout this early period in the deliberations of the national League and sent Superintendent Chapman throughout the nation to deliver his most widely known address, "The Stainless Flag." Throughout this period the southern California League considered its most important activity to be the dissemination of temperance literature to prepare the people for future elections.[37]

By 1908 the Anti-Saloon League had not brought about a temperance revolution in California, and the prospects that it would do so in the future were not particularly bright. On the basis of its recent progress the League appeared to have reached the limit of its power. Its status seemed to bear out a prediction made by the Congregationalist *Pacific,* before the League was organized:

> If the Church or the churches would do their duty, so we are often told, the great evils of society would be done away; we would have Prohibition, and the saloon would perish. Since the membership in the churches constitutes hardly one-fifth, and in California one-fifteenth, of the population, that proposition, great as its force is, is not self-evident.[38]

The proportion of church members in California had increased by 1908, but the temperance revolution was yet to come.

Such opposition as the League faced from the liquor men in the 1900's

was hardly sufficient explanation for the League's lack of greater success. The California Protective Association, having temporarily beaten back the temperance movement, apparently ceased its activities at about the time the Anti-Saloon League was organized. By the end of the century its activities were no longer mentioned in the *Pacific Wine and Spirits Review,* and by 1902 the *Review* was bemoaning the lack of any association of liquor men organized to fight the new menace. In 1900 a Liquor Dealers' Protective Association was founded in Los Angeles, on the heels of the Los Angeles ordinance which limited the number of saloons to two hundred. The Association was organized specifically to influence municipal and county politics at the coming election. It met with disappointing results. From January to June of the following year only one new license was issued in Los Angeles County out of fourteen applications. In the following year a mayor was elected who was responsive to the interests of the saloons, but, outnumbered by his temperance-minded associates, he was unable to assist the liquor cause.[39]

In San Francisco that year the victor in the mayorality elections had been opposed by the liquor interests. The trade soon found, however, that its interests would not suffer in the hands of Mayor Eugene Schmitz. The *Wine and Spirits Review* decided that Schmitz was proving to be "a far and away better man for the high position" than had been expected. It concluded that, once Schmitz found himself faced with the San Francisco saloon situation, the "responsibilities of the office . . . steadied him and broadened him." To temperance men the corrupt San Francisco Union Labor government was an obvious product of saloon politics. That Abe Ruef, the political boss of San Francisco, was the attorney of the California Liquor Dealers' Association was strong evidence for the belief. But the *Review* reported that the liquor dealers had been forced by the political machine to accept Ruef, and that they would very soon regret having given in.[40]

In many places the saloons were centers of political corruption, but that was not to say that the organized saloon controlled politics. Had the liquor industry in California been thoroughly and intelligently organized on a permanent, state-wide basis, the Anti-Saloon League probably would not have been a match for it anywhere in the state. The truth appears to have been, however, that the industry never organized effectively until it was mortally attacked; that only those elements of the industry actually under attack were willing to join in the organization; and that, even when the entire industry was threatened with extinction, it was unable to present a united front against the Anti-Saloon League. The saloonkeepers and liquor dealers themselves were

small businessmen working in a highly competitive, overcrowded field. In San Francisco, which had the most saloons, the saloonkeepers were in the poorest position to unite, many saloons being operated by criminals or otherwise disreputable persons in whom honest saloonkeepers did not place trust. There was division of interest between proprietors of licensed saloons and proprietors of "blind pigs," or "blind tigers," saloons which operated in great numbers, particularly in San Francisco, without paying the liquor license. There were disagreements between saloonkeepers and bartenders, resulting in separate organizations and strikes.[41]

The saloonkeepers were also at the mercy of the wholesale liquor and beer interests. Two years after Los Angeles had limited the number of its saloons to two hundred, all of them had been acquired by the big breweries, according to the *Pacific Wine and Spirits Review,* in the expectation that the limitation would raise the market value. The men who rented the saloons, the *Review* reported, were required to use the owner's beer and also pay bonuses of from five hundred to two thousand dollars.[42]

The brewers themselves organized in 1909 as the California State Brewer's Association, representing 90 per cent of the brewing interests of the state. The purpose of the organization was to guard against hostile legislation and "to refute the aspersions of so-called temperance societies." Faced in 1911 with the threat of a strong local-option law, the new association joined with the Wholesale Liquor Merchants' Association and the Wine Growers and Distillers to form an organization called the Associated Industries. Coöperation among these three groups, however, was a very delicate matter. When, as soon happened, the liquor industry was faced with temperance measures which would outlaw hard liquor while permitting the sale of beer and wine, the wine and beer interests proved themselves willing and eager to throw the liquor men to the drys. Nor was there much love lost between the beer and the wine interests. The sale of beer at retail was thoroughly bound up with the fortunes of the saloon, but only a negligible amount of wine produced in the state was sold over the bar. The wine men, therefore, had no real direct interest in protecting the saloon, so long as the home consumption of alcoholic beverages was not disturbed. The wine industry, with an honored tradition in the state, was extremely important to California. Its special position was indicated by the State Viticultural Commission, authorized by the state legislature to foster the interests of the grape and wine industry. Under these circumstances it is understandable that the wine industry failed to see how its interests were

involved in the fight of the liquor industry in the first years of the century.[43]

The Anti-Saloon League campaign in these years was concentrated entirely on the saloon, and the several interests of the liquor industry were apparently unwilling to exert themselves on behalf of the saloonkeeper. For the first ten years of its existence, the Anti-Saloon League found itself faced with strong opposition from the liquor dealers and saloonkeepers alone.

The president of the California Protective Association had warned the liquor industry that it would have to clean its house if it wished to stay in business. Faced with attack from the Anti-Saloon League, the liquor dealers formed an organization which, to outward appearances at least, was based on an idea new to California. They formed what was publicized as a liquor-men's temperance association. Following the example of many temperance organizations before them, the liquor dealers patterned themselves after Masonic design. The new organization was called the Knights of the Royal Arch, and in April, 1902, the Grand Lodge of the Knights of the Royal Arch was formed in San Francisco, delegates attending from lodges in Los Angeles, San Francisco, Oakland, Sacramento, Stockton, San Jose, Fresno, Madera, Bakersfield, and Merced. State officers were elected: Grand Valiant Commander, Grand Lieutenant Commander, Grand Treasurer, Grand Orator, Grand Recorder, Grand Master of Ceremonies, Grand Captain of the Guard, Grand Tyler, and Deputy Grand Valiant Commander. The organization proposed to ward off prohibition by removing the worst abuses of the saloons. Specifically this meant campaigning against the "blind pigs" which brought the saloon much of its bad reputation.[44] The *Wine and Spirits Review* reported:

"San Francisco Lodge No. 2, Knights of the Royal Arch, are not only fighting against prohibition but in favor of temperance. Committees have been appointed to wipe out all low dives and exterminate all unlicensed saloons. The members of the lodge will co-operate with the policy in ridding the city of deadfalls."[45]

Similar good deeds were reported throughout the state. In Redding, for instance, the Royal Arch requested the city authorities to make stringent restrictions on the liquor business.[46] The request was expected to result in an ordinance closing the saloons at one o'clock and prohibiting the serving of liquor to women, minors, or drunkards. On the eve of a no-license election in San Diego, the Royal Arch passed a resolution in favor of the suppression of all illicit saloons. The resolu-

tion was passed, the Royal Arch declared, so that the voters may "know where we stand, and we feel that the voters of San Diego will be just enough not to vote to confiscate our property which to many of us amounts to a lifetime accumulation of honest effort."[47] San Diego responded with a heavy wet majority.[48]

"There is a liquor question in California," a spokesman for the Royal Arch declared. "It must be faced, and it must be solved. But it is a subject for calm and impassioned discussion by big men with broad, balanced minds. The Knights of the Royal Arch is sincerely and honestly trying to settle the question by elevating the liquor business and encouraging strict regulation."[49] For that reason the spokesman took offense at a temperance man's characterization of the organization as "the skulking exploiters of brewing, distilling, and white slaves."

As an anti-prohibitionist campaign the idea had merit, and, in some places at least, it produced the desired results. Its effectiveness was demonstrated in Fresno between 1909 and 1913. Fresno voted dry in 1909 by a small majority, despite a large foreign population and an important wine industry. The *Wine and Spirits Review* blamed the defeat entirely on the Royal Arch. The Fresno saloons, it declared, had acquired a reputation for harboring crime and vice and had given Fresno the reputation of being "the toughest city of the plains." Added to that, the *Review* declared, the Royal Arch had managed its campaign badly. The fifty Fresno saloons were saved for the time being when the decision to close the saloons was set aside by the mayor.[50] Four years later, when temperance sentiment was much stronger in the state as a whole, Fresno again voted on the issue, and went wet by more than two to one. The reason for the change, according to Chester Rowell, was that "the saloon condition which it was meant to do away with now was far better than that against which there was a reaction four years ago, and there were definite assurances, which I think will be carried out, that in the event of the saloons remaining the conditions would be still further improved."[51]

Whether similar successes would universally have attended such saloon reform is open to question. Some temperance men argued that improvements in saloon conditions served to whet the respectable citizen's appetite for further improvement and so led directly to prohibition. The Royal Arch does not appear to have carried out its plan thoroughly enough to prove the point one way or the other, and with the rise in the fortunes of the Anti-Saloon League which accompanied the victory of the Progressive movement, stronger measures were necessary than those of publicized self-improvement.

Chapter VI

THE PROGRESSIVE MOVEMENT, 1909–1913

Until at last the Eighteenth Amendment was adopted, the drive for prohibition was an important element in every major reform movement in California's history as a state, with the single exception of the San Francisco-dominated Workingman's party agitation of the late 1870's. Antislavery and antiliquor agitation went hand in hand in the 1850's. The prohibition referendum of 1855 was the product of a Know-Nothing legislature, and Know-Nothingism was, by many contemporaries at least, conceived of as a reform movement. The victory of the grangers in 1873 was followed by a sudden rash of temperance legislation. There was a marked prohibitionist strain in the California Populist movement, and it is perhaps no mere coincidence that the year of the Populist's greatest strength, 1894, was also the climax of the temperance campaign which had begun with the Pasadena ordinance of 1887. Had the Populists achieved control of the legislature as the grangers did, there would probably have followed a similar spate of temperance legislation.[1]

The Progressive victory of 1910 proved to be the most far-reaching triumph ever won by a reform party in California, and it was followed by the most far-reaching temperance victories ever won in the state. On the eve of the Progressive victory, the temperance movement, despite constant, powerful exertions by the southern California Anti-Saloon League, had fought to a standstill. On the basis of the local-option elections of November, 1910, the *Pacific Wine and Spirits Review* felt that the slight trend toward prohibition had come to a halt at last:

"The election returns of November 8th show conclusively that the prohibitionists have at last got to the end of their rope . . . for wherever prohibition . . . was the issue, the aquamaniacs were defeated in a large majority of cases."[2]

Five years later there were three and a half times as many dry towns and cities in the state as there had been in 1910, and the Anti-Saloon League was preparing with high confidence to drive the saloons from the entire state the following year.

The temperance movement drew great strength from the Progressives, and vice versa. The Anti-Saloon League, working through the churches of the state, was a thoroughly developed political organization, which certainly compared favorably with the hastily developed Lincoln-

Roosevelt Republican Leagues, on which the Progressives based their power. When the Anti-Saloon League used its organization to advance the Progressives, it did much to compensate for their organizational weakness. The League aided also in bringing into the movement temperance-minded people who otherwise would have shown no interest in the Progressive program.

On issues other than prohibition, temperance men were of all political stripes, from socialist to extreme reactionary, and included some who felt that there was no real political issue other than prohibition. However, most temperance men did have leanings toward nativism, and most of the reform movements in the state had also been in part nativist agitations. Nativism was the main issue of the Know-Nothing party. It was a vital element in the granger and Populist movements. Many Populists in the state left the fold to join the nativist American Protective Association, and the Prohibitionist *California Voice* pleaded with the Association to adopt the cause of temperance, since such a stand should logically follow from the rest of the Association's program.[3]

California Progressivism was basically a Protestant, native American movement; but it had many more followers than any of the previous reform movements, and if nativism had any important part in its development the fact was not apparent in either the aims or the activities of the movement. Anti-Saloon League support probably assured the Progressives the backing of much of this nativistic element, even though the Progressives did not openly court it.[4]

Superintendent Chapman, while lending his force to the Progressive campaign, had no intention of allowing it to be used to support Progressive measures in general. The refusal to engage in politics on any issue other than the liquor question had been a fixed policy of the Anti-Saloon League, whereas the W.C.T.U. had agitated for a wider range of reforms. The League lent its services to the W.C.T.U. in the campaign against racetrack gambling in 1908, but it did so, according to Superintendent Chapman, "with the settled purpose never again to let any local issue take precedence over the one paramount issue before the people of California." By 1910, however, leadership in the League was beginning to change and the temperance issue had become so closely involved with the Progressive movement that, for the time being at least, the Anti-Saloon League was operating practically as a political agent of Progressivism.[5]

The man who more than anyone else brought the temperance groups into the Progressive movement was Daniel M. Gandier, successor to Chapman in 1914 as Superintendent of the California Anti-Saloon League. Gandier was almost without question the ablest leader ever produced by the temperance movement in the state. Trained like Chapman as a Presbyterian minister, he was a striking contrast to his predecessor. Chapman brought to the movement a prophesying zeal, pitched to fire the spirits of the already convinced temperance workers. His uncompromising denunciations of the liquor evil served to rally the traditional forces of temperance about him, but they served also to alienate all who would not go down the line with him, including both moderate temperance men and party Prohibitionists. In California, at least, the insistence that the friends of the League must place the liquor fight above all other considerations was a requirement unfavorable to effective political development.

Gandier's religion was, in contrast, the religion of the social gospel. The liquor evil, to him, was not a uniquely sinful force which he would oppose to the exclusion of all other interests; it was one of many evils which right-minded men were called upon to attack. After the Progressive victory in 1910, Gandier wrote jubilantly of his faith in Progressivism and the role of the antiliquor fight in it.

> The fight is just begun. The selfish forces of the land—Big Business and its ally, commercialized vice—are preparing for the death struggle. I believe the spirit of our age is against them. Everything which lives by injuring society, or which enriches the few at the expense of the many, is doomed to go. The spirit of brotherhood, which means a square deal for all and that those of superior cunning shall not be allowed to rob their less cunning fellows any more than the physically strong shall rob the weak, is abroad and is going to triumph.[6]

Gandier did not become superintendent of the League until 1914, but he began the task of bringing the Progressive movement into the temperance camp when he was appointed legislative superintendent of the League in 1909. When the 1911 legislative session was over, Gandier placed the men's church organizations of the state at the disposal of Governor Hiram Johnson in the campaign to bring out the vote for the constitutional amendment creating the initiative process in the state. In doing so, Gandier kept the name of the League out of the campaign, so that its connection with the campaign would not discredit the measure among wets. In this and similar acts the League under Gandier took a much broader view of temperance than it had in its early days, and under Gandier's leadership it won strong state-wide

support, much of it outside the church, from politicians, newspapermen, and businessmen, most of whom had never previously felt any concern for the temperance cause.[7]

California Progressivism, like California temperance, drew its greatest strength from Los Angeles County. It was there that the movement originated in the good-government movement of 1906, and it was there that the heaviest majorities for the Progressive ticket were registered in the next ten years. The Lincoln-Roosevelt Republican League was basically a Los Angeles development. One of the chief problems of the Progressives in the election of 1910 was how to give this primarily Los Angeles development a genuinely state-wide character. The opportunity to do so was presented by the San Francisco graft trials, which abruptly aroused reform activity in the northern part of the state. The graft trials, so far as they expressed the popular will in San Francisco, represented a dramatic break with the past; the good-government movement in Los Angeles was a gradual development over a twenty-year period. Of importance to the temperance movement was the fact that, unlike the San Francisco reform drive, the good-government crusade in Los Angeles was a development in which temperance men had taken a part.[8]

The term Progressive covered a multitude of conflicting notions, ranging from belief in efficient government by honest businessmen to the desire for radical alterations in the American political and social system. As it developed in Los Angeles, Progressivism fell almost wholly into the former category: the fight of honest businessmen against corrupt politics on the one hand and socialism on the other—a movement "to bring together the business men who are interested in good government," according to one of its leaders. The first good-government crusade in Los Angeles was started by the ministers of the city in the period after the land boom of 1887, and this was followed in 1893 by a more broadly based movement in the Citizens' League. There followed the League for Better City Government in 1896, the Committee of Safety several years later, and the Municipal League in 1901. In 1905 the Voters' League was organized in addition to the Municipal League, specifically to fight the corrupt practices of the Southern Pacific Railroad, the Los Angeles Gas and Electric Company, and the Royal Arch. It declared its objective to be "a management of public affairs worthy of an enlightened, progressive and Christian community."[9]

The churches during this period of good-government agitation had

been interested mainly in the so-called moral issues rather than in the matter of political corruption. By 1905, however, the churches were becoming increasingly political-minded, as evidenced by the standing committee on Civic Righteousness organized by the Los Angeles Church Federation. "From now on the Federation of Churches is a force to be reckoned with by the machine politicians," the author of *The Better City* concluded. "Christian people are coming to see that they are not merely pilgrims to another world."[10]

The political boss of both city and state in California at the opening of the twentieth century was the Southern Pacific Railroad. Los Angeles was to some extent a creation of the railroad, and despite its good-government drives and its history of successful moral striving, it was if anything more tightly in the toils of the railroad's political bureau than was that notorious sink of sin, San Francisco. The first real inroad made by the good-government men of Los Angeles was in the local election of 1906, in which the Municipal League led a nonpartisan fight which put into office seventeen of twenty-three candidates for city posts. During the campaign, the unsuccessful Progressive candidate for mayor, Lee C. Gates, neglected the issue of the Southern Pacific to concentrate on the condemnation of the liquor interests in politics. Among the councilmen elected on the nonpartisan ticket was A. J. Wallace, a Methodist minister and oilman, who went on to become Hiram Johnson's running mate on the Progressive ticket in 1910. Wallace, who served for many years as president of the Anti-Saloon League of California, was at the time of the election of 1910 the closest link between the League and the Progressive movement.[11]

The "goo goos," as the good-government men were called, enjoyed their second important Los Angeles victory with the recall election of Mayor Harper, and again the League shared in the victory. The *Pacific Wine and Spirits Review* saw the liquor question as the central issue in the recall.

> Mayor Harper of this city, who is known as a broad, liberal minded man, has, because of his predilection to deal fairly with the liquor interest, drawn down on himself the wrath of the Long Hairs and their organ, the *Express*, which, with the intemperateness that characterizes that tribe, have accused him of about all the crimes in the calendar. . . .[12]

In opposition to Mayor Harper the good-government men nominated George Alexander, a man who, as county supervisor, had for eight years served conspicuously as an ally of the Anti-Saloon League. Harper withdrew shortly before the election and Alexander won by a landslide.[13]

Encouraged by local successes and faced with a state legislature which was unusually corrupt, even by California standards, good-government leaders in Los Angeles joined with men outside the county to organize the Lincoln-Roosevelt Republican League as a state-wide Progressive organization within the Republican party. Of the small group of men from Los Angeles who set the plan in motion, two later served as officers of the Anti-Saloon League—Dr. John Randolph Haynes and Marshall Stimson. The most powerful early leader of the Progressive movement outside Los Angeles was Chester Rowell, editor of the Fresno *Republican,* who later became also an important worker for the Anti-Saloon League. So intimately were the efforts of the Anti-Saloon League bound up with the origins of the Lincoln-Roosevelt League that Superintendent Chapman of the Anti-Saloon League was led to speak of the one as the creation of the other. "The Lincoln-Roosevelt movement in the Republican party owes it strength in the state almost wholly to the public sentiment which has been during the preceding years created by the Anti-Saloon League."[14] The good-government movement before it, he continued, had also reaped the harvest of the work of the League. "When the Good Government movement sought a candidate suitable to be their leader . . . they turned almost with unanimity to George Alexander, the man whom the Anti-Saloon League had first placed in the office of supervisor." In the state as a whole, the Anti-Saloon League could point to the fact that the two men in high public office in recent times who were acceptable to the Progressives were both staunch temperance men: Senator Thomas R. Bard and Governor George C. Pardee.[15]

The Progressive movement in Los Angeles was from the first a fight for a "progressive and Christian community," from which temperance men stood to benefit. In northern California, and particularly in San Francisco, most of the Progressive leaders were wet. After the rise of the Progressive movement in the north, the League found that it was able to count on the Progressives in that quarter for limited support, but the support stopped far short of state-wide or national prohibition. San Francisco Progressives were roused to the fight by the graft trials of Mayor Schmitz, Abe Ruef, and various business leaders—trials which, continuing from 1906 to 1909, thoroughly exposed the corrupt alliances between politicians and corporate interests in the city. The trials had come on the heels of the San Francisco earthquake and fire. Emergency prohibition had been in force for seventy-five days after the earthquake, and in that period San Francisco had been, according to the *Chronicle,*

"a city without crime." Crime returned, however, as did the saloon business; and after the trials, every one of the accused except Ruef having escaped imprisonment, San Francisco appeared ready to return to former ways. The graft trials had brought local corruption dramatically before the public, however, and had developed a group of leaders ready to fight for honest government.[16] Although saloons returned after the fire, there was a much smaller number of them, and the reform wave in San Francisco resulted in the election of James Rolph, Jr., as mayor. Rolph was a thoroughly wet candidate, and his election drew three cheers from the *Pacific Wine and Spirits Review,* which approved Rolph's statement that "the liquor interest, which, on account of the license system, comes into close relation with the Police Department, shall be treated as any other licensed and legally recognized business."[17] Treating the saloons as a "legally recognized business" represented a considerable advance over previous conditions, however, and Rolph's reëlection was hailed by the Anti-Saloon League itself in 1915 in an article headlined "DECENCY WINS." The article went on, however, to admonish Rolph to do more for the good people who had elected him than he had previously done.[18] The League's joy over Rolph's election was evidence that it had given up San Francisco as beyond the pale and that it was grateful for whatever orderliness the natives had introduced into their sinful conduct.

Reform in San Francisco in the Progressive era was a fact, but it was reform for which Progressives of the Los Angeles caliber had little sympathy. An indication of the difference between the two varieties of reformer may be seen in an exchange of letters between Franklin Hichborn and Fremont Older, editor of the San Francisco *Bulletin.* Older had been a leading agitator in the graft trial prosecutions. He became offended, however, when Reuf alone was imprisoned and the more respectable defendants were all freed, and he set about at once to obtain freedom for Ruef also. Hichborn promptly wrote him a letter of admonishment, pointing out in detail where he had erred. Older replied in part:

> It has been said that the "good" people who mistake their "good" intentions for good, and who do not know that they sin, were the greatest obstacle to human progress and a broader justice; that they served no purpose whatever in the world-wide movement toward a finer life. But your letter convinces me that these "good" people, of whom you are one, who never lied, who never bore false witness, who never suppressed the truth, nor uttered a half truth, have a mission. It is their duty to write letters to the bad people, of whom I am one, and by frequently reminding them that they are bad, keep them from becoming good.[19]

Older and other San Francisco reformers who acted in this spirit clearly lacked the high idealistic fervor necessary to sustain the kind of campaign which would interest the League.

Although the League was unable to win most northern Progressives to the cause of prohibition, it won many of them to more limited temperance measures, notably local option. The chief technique by which the League gathered in this new support was its concentration on the saloon rather than on liquor itself as the chief evil of the time. The saloon, with its connotations of political corruption and social evil, was an obvious target for attack by Progressives, even wet Progressives. C. K. McClatchy, editor of the Sacramento *Bee,* was an outspoken, thoroughgoing wet; yet the enactment of the 1911 local-option law was said to have been due in large measure to his propagandizing. McClatchy stated his position clearly in the *Bee* during the period of agitation for the law.

> The *Bee* itself does not believe in prohibition as a remedy for the conceded evils of the liquor traffic, but it says quite frankly to the Royal Arch, for many of the members of which it has sincere respect, that it will lead a prohibition campaign in Sacramento rather than see present conditions continue, to the injury of youth and the nullification of Chamber of Commerce work in development. Gentlemen of the Royal Arch, we will omit the question of morals involved in this issue. The *Bee* puts it up to you as a practical proposition. Do you wish to stay in business, or do you wish to be driven out by the illegal and indecent conduct of some of your members?[20]

Once local option was achieved, McClatchy stood in bitter opposition to any further moves toward prohibition. Other Progressives, however, were drawn step by step toward advocating state and national prohibition. Hichborn, for instance, began his association with the League at the same time and on the same basis as McClatchy.

> Until 1909, when Dr. D. M. Gandier forcefully raised the Local Option issue in the Legislature, McClatchy and I had scarcely heard of that policy; certainly neither one of us understood it. But McClatchy saw in it an instrument by which the saloon evils could be corrected; instructed me to study it that the *Bee* might give it effective support at the 1911 session. . . . That was the beginning of my interest in Prohibition.[21]

Hichborn wrote Gandier in 1911, "I am not, as you know, a prohibitionist, but the partnership between organized vice and the breweries and whiskey distilleries is making prohibitionists of a whole lot of us." Five years later, when Gandier asked Hichborn to undertake the publicity work of the 1916 state prohibition campaign, Hichborn was

not yet convinced of the rightness of that cause. He promised to consider the matter, however, and, partly on his wife's urging, finally accepted. Having taken the step, he justified his new position with the argument that "the only way to get rid of saloon evils is to outlaw the entire liquor traffic." Unlike other men who entered the dry crusade via the Progressive movement, Hichborn went all the way and stopped drinking, himself.[22]

The way in which an exceptionally intelligent and practical man might be led step by step from personal liberty to prohibition may be seen in the conversion of Chester Rowell. Won over to the principle of local option earlier than Hichborn, Rowell was, nevertheless, absolutely opposed to prohibition because he believed it to be immoral, undemocratic, and impossible of enforcement. "I am not a total abstainer," he wrote in 1907, "either by precept or example. I drink wine on my own table, and have no rule against drinking beer in saloons, though I do not do it much."

> I think we shall be obliged to accept the Continental Sunday and Continental drinking in those portions of our country (including nearly all of the largest cities) which have a predominantly Continental population. . . . I believe in the right of the people of each community, or civic unity, to determine for themselves what they want to do about the saloon question . . . where the people of a particular community want saloons, I believe it is a moral and civic wrong to deprive them of them. . . . I believe it is morally wrong to close the saloons of New York City on Sunday by the vote of the country legislators at Albany. . . .[23]

Rowell ran for the United States Senate in the 1914 primaries, and under the impact of the campaign his views began to alter. Subjected to demands by representatives of church groups and the W.C.T.U. to support the prohibition referendum, Rowell took refuge in the fact that the Anti-Saloon League thought the referendum politically inadvisable. His statement that he opposed the referendum because its defeat would postpone final passage of the measure implied an approval of prohibition which he was not yet willing to make explicitly. He did, however, speculate on the possible need for prohibition at "such time as the communities which are 'dry' so far cover the state that any remaining 'wet' spots are practically intrusive foreign bodies, inconsistent with the general make-up of the state." Still, his preference for local option survived his own campaign and the campaign for state prohibition in 1916.[24]

By 1917 Rowell had become impressed by the argument that "good roads and automobiles have extended the contamination of a wet city

to the dry country." It might be argued, he wrote, without entirely committing himself, that the coming of the automobile made necessary state-wide prohibition to protect local rights in a day when distances were of little importance. He was beginning to consider the advisability of national prohibition, though he stipulated that the larger the unit covered, the more carefully the law must be applied and the more limited must be its functions. He was apparently still concerned about the resulting abridgement of the rights of minorities, unlike Hichborn, who wrote him that the national prohibition amendment was "fundamentally Progressive" since it "gives the people an opportunity to say whether or not they want to do away with the liquor traffic in these United States." In the following spring Rowell finally committed himself to the idea and permitted himself to be named a member of the National Campaign Committee for the Ratification of the National Prohibition Amendment. After the amendment had passed into law, Rowell wrote that there had once been "two honest sides to the question," but that "there is only one honest side now"; and throughout the period of prohibition he did great propagandizing service for the dry cause in coöperation with the Anti-Saloon League. In common with other intelligent and idealistic nonabstainers, Rowell had allowed himself to be guided gently toward prohibition by the Anti-Saloon League, when a reckless and unregenerate liquor traffic appeared to permit no other avenue to temperance. Meanwhile Rowell himself entered the prohibition era with a private supply of wine until a gardener broke into the wine cellar and with his friends drank up the entire contents.[25]

In this period the purely economic arguments for prohibition began to be felt by businessmen, who had not previously been moved by the traditional religious and social arguments. Employers, it was argued, would get much more work for their money if their workers were denied the bottle. It was logical to suppose also that if the saloons were closed, the workers, who spent a good part of their substance in the saloons, would be able to live more inexpensively and hence could be employed for lower wages. A somewhat different economic argument was the one which maintained that the saloon served no productive purpose. This argument impressed Rowell, who wrote: "Financially the saloon is 100% loss to everybody and everything concerned."[26] But arguments against the saloon from the purely business point of view Rowell found objectionable. He also found them to be widely used.

The information upon the result of Hanford going dry is various. Some of the business men have said it was good for business. I have heard also reports that it

was bad for business. It seems to be agreed that it is good for the people, but the general discussion on the subject among the business men goes upon the assumption that the only question worth considering is whether or not it is good for business.[27]

The Anti-Saloon League from the beginning emphasized the value of prohibition from the purely business point of view, as did the Prohibition party. The argument was also aimed at the workers themselves, who were told that their take-home pay would be greater if they did not spend part of it in the saloon on the way home. The argument was most telling, however, as it was understood by the employer.[28] Arthur Arlett, a Berkeley businessman, Progressive Republican, and ardent Anti-Saloon worker, found this argument extremely attractive. As chairman for northern California of the California dry campaign of 1916 he inquired eagerly for information about the economic results of prohibition in states where it had been tried, and the replies seemed to him to provide sound justification for prohibition in California. "Leaving aside any moral or social aspect," he wrote, "the question of commercial benefits . . . make it mighty good business to put the saloons on the toboggan." The whole question of prohibition, he felt, had "passed out of the realm of morals and is being determined almost solely upon its economical and political reactions." Arlett apparently had private reasons for opposing the liquor traffic aside from purely business reasons, but he felt that the business reasons were the most influential.[29]

The economic argument was also very attractive to the Progressive candidate for lieutenant governor in 1910, A. J. Wallace, who combined the experience of a Methodist preacher, a successful businessman, and a reforming politician. Writing a friend in Bakersfield about Bakersfield's successful dry election, he declared: "From my experience in the oil fields in your country I can most unhesitatingly say that the success of your movement will be a boon to the oil industry. If you will take temptation away from the driller and the laborer in the fields you will render a great service to all drilling and producing companies."[30] The prominence given the economic arguments by Progressive and temperance leaders was partly justified by the need to meet the chief argument of the liquor interests—that prohibition would mean the ruin of business. Certainly it served to broaden the crusade, at some expense to its high moral quality, in the second decade of the century.

What promoted the organization of the Lincoln-Roosevelt League

was the character of the 1907 state legislature, claimed by Progressive newspapers to have been the most corrupt and railroad-dominated in the history of the state. Its first major fight was in the Republican primaries of 1908. The result was a qualified victory, which placed many Progressive candidates in the assembly and also in the senate. They failed to gain control of the legislature, however, the old guard organizing both houses, appointing themselves to strategic positions, and defeating or crippling one Progressive bill after another. In the field of "moral" legislation the one important bill which passed into law was the bill prohibiting race-track gambling.[31]

Among the measures which failed to pass was a county local-option bill presented to the legislature by Gandier on behalf of the Anti-Saloon League. The League considered the bill a defensive measure, for in the previous year it had awakened to the fact that city and county officials had lost the power to request an advisory election on the question of a local prohibitory ordinance. In transferring the old County Government Act to the Political Code, the legislature of 1907 had omitted the section which authorized supervisors to take advisory votes on any question. The result had been that in some places citizens had secured restraining orders compelling city officials to remove from the ballot propositions relating to liquor licenses. The temperance cause had thus suffered a sharp defeat, despite the fact that local governing bodies might still pass prohibitory ordinances without requesting a poll of the electorate. The development highlighted the need for a stronger local-option provision, and the League determined in its state convention in 1908 to fight for one.[32]

The bill sponsored by the Anti-Saloon League was introduced simultaneously in both houses. As finally reported out of the Judiciary Committee of the state senate it provided that, on petition of 25 per cent of the electors of any city or town or county, the question of license or no-license should be placed on the ballot at the next regular election, and that the majority decision would be binding on the city officials. Outside the incorporated cities and towns the vote was to be taken on the basis of the township unit. The bill did not come to a vote in the assembly, being held in the Committee on Public Morals until too late to be acted upon. In the senate the bill was referred back from committee with the recommendation that it not pass. It nevertheless did pass the second reading and appeared about to pass the senate, when a series of further delays threatened to postpone its passage indefinitely. The bill finally came up for a vote and was defeated, twenty-five to

twelve. Six senators with generally Progressive records voted against the measure, and the old guard voted solidly against it.[33] Stung by this threat to the industry, the *Wine and Spirits Review* declared that "twelve traitors of their State dared to vote in favor of it. . . . Surely in their case the sins of the fathers should be visited on the children, and the people of California are advised to ostracize these men and their descendants to the third and fourth generation."[34]

The local-option bill of 1909, the *Review* declared, was "in reality a state-wide total abstinence measure drawn up by Prohibitionists for the purpose of preventing the manufacture or sale of any liquor containing alcohol." This description was hardly warranted by the proposed law which Gandier had submitted. So far as the long-range purpose of the bill was concerned, however, the *Review* was exactly right. Gandier, himself, argued for local option on this basis,[35] and in the following year, *The Searchlight* spoke of the matter in plain words: "Oregon has a local option law, the kind that California needs. It has been the means by which the majority of the counties voted dry. Result, the state will vote on prohibition in November."[36]

In 1910, experienced in the ways of legislators and with a gubernatorial election and a strengthened Progressive movement in prospect, Gandier returned to the fight. The Lincoln-Roosevelt League, faced with the relative weakness of its support in the north and the strong sectional antagonism between the northern and southern parts of the state, decided to give the gubernatorial candidacy to a northerner. After a great deal of discussion, Hiram Johnson, hero of the graft trials, was selected. Southern California was then offered the candidacy for lieutenant governor, and the Anti-Saloon League champion, A. J. Wallace, was selected. Another Anti-Saloon League favorite, John D. Works, announced his candidacy for Senator, and after some dispute was accepted by the Progressives. These two candidates alone gave the temperance forces a rich stake in the fight for a Progressive victory. The case for Hiram Johnson was not quite so clear.

Johnson, not personally a dry and not much interested in temperance legislation, faced a Democratic opponent, Theodore Bell, who was a teetotaler and former prominent officer in the Order of Good Templars. Bell was not wholly acceptable to the Anti-Saloon League because he represented the Democratic party, which drew its strength mainly from the urban, labor, and foreign-born population of the state, and which was, to a greater extent than the Republican party, associated with the liquor traffic in the minds of temperance men. Although

the Anti-Saloon League was a self-consciously nonpartisan organization, its effective work in California was done almost wholly within the Republican party. The sense of this strategy was to become increasingly obvious as California became virtually a one-party state, on the basis of the continued heavy migration of dry Republicans from the Midwest.[37]

Despite its general sympathy for the Progressive Republican ticket, the Anti-Saloon League made it clear that Johnson, himself, could expect no League support until he had committed himself squarely on the local-option issue. The way was cleared at the state convention of the Republican party, when Gandier received from Johnson the statement that, if elected, he would personally recommend a local-option measure.[38]

Turning its energies to the general election, the Anti-Saloon League concentrated primarily on the election of A. J. Wallace. Wallace, "a very good man of the Sunday School type," according to Rowell, seemed by no means so strong a candidate as Johnson. The Anti-Saloon League feared that he would trail Johnson by a large margin and thus make a poor showing for the Anti-Saloon League as opposed to the Lincoln-Roosevelt League. A fight, therefore was waged between Johnson and Wallace. The League was jubilant, not only at the general Progressive victory but also at the slim margin of difference between Johnson's and Wallace's vote. What Wallace lost in the north, *The Searchlight* pointed out, he almost made up in Los Angeles County alone. The campaigns of the two men were run quite separately, partly because Wallace, with his pronounced dry leanings, might prove a liability to Johnson in the the north, and partly because he got on Johnson's nerves.[39]

Local option was not in the platform of the Progressive Republicans, and Johnson was hardly willing to stake his fortunes on the temperance issue. Common ground for the Lincoln-Roosevelt and Anti-Saloon leagues was to be found, however, in the resolution to emancipate the Republican party in California from domination by "the Southern Pacific Railroad Company and allied interests." Johnson concentrated his attention almost exclusively on the railroad; the Anti-Saloon League campaigned against the "allied interests," by which it meant the liquor groups.[40] After the victory in November, A. C. Bane, superintendent of the recently reorganized northern California Anti-Saloon League, wrote Rowell:

I am glad that your strong and continued effort to redeem the party and the state from machine domination has been rewarded. The reform element in the

Republican party has driven the Southern Pacific Railroad Company out of politics, and now it seems to me that the next great duty of the Republican party is to drive the liquor traffic out of the politics of California.[41]

The election was a clear triumph for the Republican Progressives and for the Anti-Saloon League. Johnson, Wallace, and Works were all victorious, and a large Progressive majority was returned to both houses of the legislature. Johnson carried San Francisco by a narrow margin and lost twenty-one of the forty-nine northern counties. His decisive majorities were piled up in southern California, where he won in all nine counties.[42]

Among the many Progressive measures which were presented to the 1911 legislature, those considered favorable to the temperance cause included woman suffrage, initiative, referendum, and recall, and bills designed to suppress gambling and prostitution. The one measure on which the Anti-Saloon League concentrated its energies, however, was the local-option bill. In 1909 Gandier had compromised with the wets to the extent of agreeing that the township unit should be the basis of local option, and the wets had gone on to defeat the measure. In 1911, with substantial Progressive majorities and with the ground carefully prepared in advance, Gandier determined not to make the compromise again. His bill, based on the county unit, was passed by the assembly but was defeated in the senate, which added numerous crippling amendments and returned the bill to the assembly. As finally approved by both houses, the bill was virtually the same as that submitted originally by Gandier, except that the supervisorial unit rather than the county unit was declared the basis for local option—a rather minor, face-saving alteration on the part of the senate. On the basis of the vote in both houses, the local-option measure may be viewed as a Progressive measure. Its supporters were, with but two or three exceptions, men who were thoroughly Progressive on the basis of their voting records as a whole. On the other hand, a number of men whose records were otherwise thoroughly Progressive opposed county local option. Local option was passed by Progressive votes, but it split the Progressive ranks then, as it continued to do later. Throughout the session, the League was supported by the W.C.T.U. and its legislative representatives, who labored for local option as well as for the W.C.T.U.'s own special objectives: antivice and anticigarette bills.[43]

The law, known as the Wylie Local Option Law, worked heavily to the advantage of the temperance men. It provided that no-license could

be placed on the ballot of a town or supervisorial district upon petition of 25 per cent of the voters, and that a majority vote for no-license was binding on the town or district officials.[44] A majority vote in favor of saloons, however, was not binding, and the officials might still draw up a prohibitory ordinance if they chose. Unfair as this provision appeared, the Royal Arch did not fight the law on that account at the time it was proposed. The Anti-Saloon League had approached the liquor interests with an offer to make a majority vote for license binding on the officials, but the liquor interests had decided not to press the matter. Gandier had offered the alternatives of stipulating in the law that the saloons approved by majority vote should be "wide open" or that the local-option law should contain specific regulations approved by popular vote. The liquor interests, so *The Searchlight* declared, feared on the one hand that a "wide open" provision would result in no-license majorities, and on the other hand that the kind of regulation that might be written into the bill would be stricter than regulations they might be able to convince local governing bodies to pass.[45]

Passage of the new local-option law was followed immediately by a completely unprecedented spread of no-saloon areas throughout northern as well as southern California. Within a year of the passage of the law, one-fifth of the supervisorial districts of northern California's 48 counties had gone dry, and similar strides had been made in the south. Two years after the law went into effect almost half the supervisorial districts of northern California had become dry, in addition to about 400 incorporated and unincorporated towns. In the state as a whole there were 690 such dry towns, where on the eve of the local option law there had been about 200.[46]

Explanation for the sudden great advances in temperance lies mainly, of course, in the new law, which made the drive for no-license relatively easy and, given the majority approval, absolutely certain—at least until the next election. A further new development in state politics must also have been extremely important to the new dry successes. A woman-suffrage amendment had been approved at a special election in November, 1911, giving women for the first time the right to vote on the issue. Although it would probably be impossible to determine how women in general did vote, the large victories which accompanied their debut at the polls suggests that temperance men had been right in their traditional belief that women would vote dry. The elections were influenced also by the national trend, which was now

beginning to sweep one state after another into the dry camp. The law naturally had its effect mainly in the rural areas. No large city dried up as a consequence of it during the first years of its operation. By 1915 there were but seven cities in California of more than ten thousand population which excluded the saloon entirely: the traditionally prohibitionist cities of Long Beach, Pasadena, Pomona, Riverside, and Redlands, in addition to Berkeley and Santa Barbara. Los Angeles County was completely dry outside the municipalities; by 1913, licensed saloons had already been eliminated in five of the thirty municipalities of the county.[47]

For several years after passage of the law, the Anti-Saloon League concentrated primarily on campaigning for local option rather than attempting new legislation. With the objective of state-wide prohibition in mind, the League determined to work steadily at the local-option level until state-wide prohibition had become a practical political possibility. In San Francisco, however, it made an exception. Since San Francisco could not possibly be affected by local option, the League made a vigorous attempt to suppress saloons there by other means. The most important of several bills directed to this end was the Butler Dry Zone bill, ostensibly devised to surround with a dry zone every college and normal school in the state.[48]

The dry zone around the University of California had been established by the Dolly Varden legislature in 1873, and in 1909 a similar zone was established for Stanford University. In 1913 the Butler bill was introduced in the legislature, to prohibit the sale of liquor within a mile and a half of any of the California colleges: the University of California, Stanford, Santa Clara, the University of Southern California, Redlands, and St. Ignatius in San Francisco. In the course of the fight over the measure the limit was reduced to one mile and St. Ignatius was excluded from its provisions. Further crippling amendments were added, and dry support for the bill was thereupon withdrawn. The League determined to take the issue to the voters by making it an initiative measure in the 1914 election but was forced to give up the idea as impractical and bend its efforts instead toward passage of the measure in the legislature of 1915. The bill as there introduced included all colleges and normal schools in its provision. While the League argued that the intent of the bill was purely to protect college students from the evils of the saloon, it became obvious that many drys viewed the bill mainly as a means whereby the state could close down an estimated five hundred saloons in San Francisco in the vicinity of St. Ignatius College. Outside San Francisco only about one hundred and

twenty-five saloons would have been affected by the bill. An amendment to exclude San Francisco from the provisions of the bill, widely advertised as having been defeated by the wets, was actually voted down by the drys as well, including the author of the bill.[49]

Receiving a tie vote in the senate, the bill was defeated by the deciding vote of the presiding officer, John Eshleman, a Progressive Republican and strong supporter of county-wide local option. He voted against the measure, he said, because it was an obvious subterfuge to dry up areas which wished to stay wet. He was unhappy, he later wrote, at the number of letters he had received from church members and ladies of the W.C.T.U. suggesting that he had curried favor with the forces of evil and received money from them for his vote.[50] The drys in general took exception to Eshleman's act. "His greatest mistake," Hichborn wrote Gandier, "was in voting against the measure. His two minor mistakes are: 1) In charging those who are behind the bill of being guilty of subterfuge, 2) in calling the supporters of the bill Pharisees."[51]

Other dry attacks on San Francisco failed in the 1913 legislature, when a bill to prevent the sale of intoxicants in the vicinity of the Panama-Pacific Exposition grounds failed to pass the senate, and when a bill to place a dry zone with a radius of four miles around military posts failed to come to a vote. So far as its own program was concerned, therefore, the Anti-Saloon League failed to win any legislation whatever in the 1913 and 1915 sessions. The one dry law which did pass during this period was introduced independently of the League. It was a law forcing saloons to close from 2 A.M. to 6 A.M. The failure of the League to introduce similar legislation suggests a preference on its part for outrageous saloon conditions wherever the saloons were permitted to exist at all.[52]

Legislative victories were not the major concern of the California Anti-Saloon League in this period. With a strong local-option law on its side, the League addressed itself to the task of extending the dry area of the state. California remained a comparatively backward state in the matter of temperance, and League strategy required that the local option law be given more time to do its work before the organization attempted to promote state-wide prohibition. Nevertheless, much against its better judgment, the League in 1914 found itself in the midst of a campaign for state-wide prohibition. The measure was placed before the voters in that year by the Prohibition party, which, after suffering years of humiliation at the hands of the League, at last managed to take the lead and force the League to follow.

Chapter VII

CALIFORNIA DRY CAMPAIGNS, 1914–1916

In 1914 and again in 1916 the dry forces in California went down to defeat on the issue of state-wide prohibition. The 1914 campaign was doubly a defeat for the Anti-Saloon League, since the campaign itself had been launched by the Prohibition party over the official protests of the League, which reluctantly followed the lead of the party in support of a measure more radical than any the League would itself have devised. From the point of view of the Prohibition party the defeat was a vengeful triumph which the waning party had long and lustfully awaited.

The party's demonstration of power within the temperance movement in 1914 came at a time when it was starved for such a victory. The Prohibitionist *California Voice* ceased repeating its accustomed predictions of early victory for a moment in 1913 to reflect that

> we face, at the end of our forty years, the humiliating fact that the Prohibition party, as a political force in the nation is not looked upon by politicians as a thing to be reckoned with when making up the political slate. . . . Our national vote last year was something like fifty thousand short of what it was four years ago and the campaign left the party heavily indebted in almost every state. . . . Prohibition conferences and conventions are attended by Prohibitionists only, and these are, as a rule, old men and women. . . .[1]

Party members were by then six years older than they had been when an earlier *Voice* had declared: "This number of the *Voice* is almost an obituary number, so fast are the veteran Prohibitionists passing over to join the great majority. Like falling leaves they are going. Who among the young men will rise up to take their places."[2]

As the *Voice* observed, the party had made no progress whatever in the state. Year after year it organized new campaigns and gathered in thinly scattered votes. It protested in vain that it was not a party of one idea. Its platform, as it repeatedly pointed out, contained a prodigious variety of ideas, and it cordially invited voters who were not satisfied with the national platform to "vote their sentiments on the state platform," which usually contained still more ideas. The state platform of 1906, for instance, opposed the liquor traffic and traffic in girls, and it supported female suffrage, international arbitration, compulsory arbitration between employers and employees, a federal postal savings bank, government ownership of public utilities, direct

election of the President, Vice-President, and Senators, initiative, referendum, and recall, compulsory Sunday rest laws, prohibition of the manufacture, sale, and importation of the "deadly cigarette," repeal of laws "discriminating against reading of the Bible in the public schools," and direct primary election laws. The fact remained that these platforms did not draw votes.[3]

In the bitter years that followed the rise of the Anti-Saloon League the party found the League fighting its candidates in every election; it saw many of its long-time followers, including Superintendent Chapman, desert to join the League; it saw the League winning battles where it had invariably failed; and it found its own leadership divided again and again over the issue of fighting or supporting the League in each successive battle. The party had been badly demoralized by the Progressive–Anti-Saloon League victories in Los Angeles from 1906 to 1910, and it was split completely by the League's success in winning the Wylie Local Option Law in 1911. When the passage of the law appeared certain, the *California Voice* became very dubious about the wisdom of such a course. Holding at first that, "where local option seems to be the only thing possible, it is permissible," the *Voice* soon came to the view that "the principle of local option on moral questions is un-American and unsafe, and . . . never settles any . . . question."[4] After the measure was passed, the *Voice* announced its settled opinion.

> The *Voice* is opposed to submitting the question of saloon, but not opposed to submitting the question of no saloon to a vote of the people. The Wylie law not only provides that the people may vote the saloons out, but, when they are out that they may vote them in, hence our contention that it is not right to allow the people to vote in favor of a thing which is inherently wrong.[5]

The argument had no meaning as applied to the Wylie law, which did not bind officials to abide by a prolicense vote, but it indicated that the *Voice* was opposed to the League measure. The party leaders considered sending a representative to Sacramento to lobby against local option, and when the Central Committee was unable to reach a majority decision, one committee member went to the capitol on his own authority to protest against it. This one-man lobby received wide publicity in the press and drew from the chairman of the Prohibition party the denial that the party was officially opposed to local option. Of the six-man Central Committee three members were strongly opposed to passage of the measure, two did not oppose it, and the sixth was undecided.[6]

Divided and driven, the Prohibition party rallied in 1911 to go on

the offensive against the Anti-Saloon League. Under the leadership of Wyley Phillips, editor of the *California Voice,* it launched a radical dry campaign in Los Angeles and thus forced the League to support it, even though the support was belated and only passive. It was the first such offensive taken by the party; but the lesson, once learned, was applied again and again at every possible opportunity until the coming of national prohibition. The party placed on the Los Angeles municipal ballot a prohibitory ordinance which the Anti-Saloon League afterward declared to have been "the most drastic of any ordinance we ever have known to be submitted to a popular vote." The ordinance would have prohibited the manufacture, sale, distribution, or gift, within the city limits, of any alcoholic beverages except for medicinal or scientific purposes. The League declared that it was too fully occupied with local-option elections to assist in the campaign, but it recommended that its followers vote for the ordinance so that the defeat would not be so stunning. It encouraged also the activities of the Temperance Federated Committee, a group outside the Prohibition party, organized particularly for the one campaign. The ordinance was defeated 88,334 to 32,288.[7]

The defeat was followed by bitter mutual recriminations. The ordinance, the League declared after the election, had been the work of the radical wing of the party and had been opposed by a large minority at the time it was suggested. The League announced that it regretted the move exceedingly, and stated that it was "not probable that the originator of this movement had the slightest expectation that his ordinance would be approved by the people," adding: "It is fair to say that it was not prepared to be so approved but to express his personal conviction as to what ought to be. This is the most charitable construction that can be placed upon his course."[8] Furthermore, it charged, sufficient signatures could never have been collected to place the measure on the ballot had the party not received assistance from the liquor men, who felt that they would gain from the landslide defeat which so drastic a measure was bound to suffer at the polls.

This attack brought a wail of anguish from the author of the ordinance. "No one could have been more astonished than myself to hear repeated time and again from the pulpit and from the press the assertion that the liquor interests of this city were backing the ordinance on the ballot at this time."

> And now I must rest under the cloud of having combined with the liquor men to place this ordinance upon the ballot and force the election at a time when the Anti-Saloon League claims to be unprepared for it. . . .

Almost every year, for the last ten or twelve, propositions have been made to the Anti-Saloon League and other moral and religious forces of the city to combine and put a stop to the fearful havoc being wrought by the liquor traffic. In every such attempt I was met by the excuse that "this is not the opportune time," or that the Anti-Saloon League would not go into the campaign unless it went into it as the Anti-Saloon League.[9]

So far as the vote was concerned, the election was a disastrous defeat, but for the Prohibition party it was a stunning victory. The party had grasped the initiative from the League and carried on its campaign at a level which permitted no compromise with principle. The lesson learned in that municipal election was applied on a state-wide scale in 1914. In the fall of 1913 the Prohibition party leaders called a convention in Los Angeles to discuss the question of a campaign for statewide prohibition in 1914. This convention, the *California Voice* declared, was the greatest of its kind ever to have taken place in the state. All factions of the temperance movement, including Anti-Saloon League representatives, attended, and debate ranged hotly on the proposed campaign. The League squarely opposed such a campaign, and, according to the *Voice:*

Last of all, Dr. E. S. Chapman himself was given the floor, amid great applause from his many friends, to give his reasons against immediate action. He spoke of his sixteen years of work in the cause and the sacrifices he had made for it (there were those present who had worked forty years in the ranks and sacrificed even more, but had not spoken of it). "Nothing would please me better than a 1914 campaign if I believed it could succeed," he said, "but I have reasons—"

"Give them to us! Give us the reasons!" clamored half a dozen voices from the convention. . . .

But the good doctor had no new reasons to give—only the old story, we are not ready yet—the people need more education. . . .

And defeat would be terrible to the cause, he argued, and instanced once more that never-to-be-forgotten folly of bringing on the campaign in Los Angeles without his approval, and the disastrous results. . . .

Dr. Chapman moved an amendment, that we organize for a campaign in 1916.

With a thundering "NO!" that shook the vaulted roof, the convention voted it down and passed the original motion—California dry in 1914!

"Make it unanimous!" said one of the outvoted brothers loyal to the cause even though doubting the wisdom of the chosen time. But Dr. Chapman firmly refused to rise and a few friends stuck by him.

But it was settled. Four to one, the convention had decided itself for 1914. . . . Committees were appointed to attend to the permanent organization of the California Dry Federation, to nominate officers therefor. A resolution was introduced that each pledge himself to say no more of Prohibitionists, Anti-Saloon League, W.C.T.U., or other organization, but only that we are here united to lick the liquor traffic.[10]

Among the officers appointed to head the new federation, despite their refusal to coöperate, were Anti-Saloon League leaders, including Chapman.

Having won the day, the radical Prohibitionists went on to draw up an uncompromisingly severe initiative measure. The measure not only called for total prohibition of manufacture, sale, and consumption of all alcoholic beverages, except for medicinal and sacramental purposes, but stipulated that, if it should receive a majority vote, it would go into effect five days after the election, which would give the liquor interests no time to arrange their affairs. The Anti-Saloon League in the same election sponsored an initiative of its own, which provided that the prohibition initiative be amended to allow several years' grace before it would go into effect. This extra initiative demonstrated the division in the dry ranks, and it did not keep the liquor interests from making capital of the gratuitiously brutal provision in the prohibition initiative.[11]

When, in January, 1914, the necessary number of signatures had been secured for the prohibition measure to be placed on the ballot, the Anti-Saloon League finally announced that it would join the campaign rather than divide the movement permanently. There had been "pronounced differences of opinion among temperance people as to the wisdom" of submitting the measure that year, the League announced, but now that the measure was on the ballot, it joined in "heartily."[12] Had the League not capitulated, it would have stood in danger of dividing not only the temperance movement but the League itself—at least the southern California part of it. Some League officials, including the president of the southern California division, had joined the opposition at the time of the convention. In addition, the major denominations of the evangelical churches in northern California had officially protested against the measure and had thus made the position of the League even more difficult. In joining the movement after it was under way, the League was forced to accept the leadership of others, endure the campaign, await the defeat, and console itself with thoughts of a League-directed campaign in 1916.[13]

The Royal Arch met the prohibition measure with an equally impolitic measure of its own, prohibiting all elections in the state on any liquor question for the next eight years. The measure provided also that all dry areas in the state which voted a majority against state-wide prohibition would, by that act, be relieved of the no-license ban.[14]

The result was a landslide defeat for prohibition, a narrower but

still substantial defeat for the Royal Arch measure, and a two-to-one victory for the proposition which would have delayed the prohibition amendment had it been passed. The prohibition initiative lost even in Los Angeles County by a very close vote and was defeated in San Francisco County five to one.[15]

That the 1914 campaign had been made at all was a victory for the California Prohibition party, but in addition the party achieved in that campaign a distinction unique in the annals of the party anywhere in the nation—it achieved the election of a Prohibitionist congressman. Running in the Ninth Congressional District of Los Angeles, Charles H. Randall won against both wet and dry opponents. He ran squarely on the record of the Prohibition party, declaring that every "moral or civic reform which now holds a conspicuous place in the Progressive, Republican or Democratic platforms was demanded in Prohibition platforms long before they were taken by other political parties."[16] He defeated not only the wet candidate but also the candidate enjoying the backing of the Anti-Saloon League. The *Voice* trumpeted: "He will be the first Prohibitionist in Congress, and to California will come the distinction of starting the political revolution that shall outweigh in its beneficent results all the revolutions of history. Hail MIGHTY DAY!!!!!"[17] Reëlected two years later, Randall was to exert powerful and radical influence in the wartime drive for national prohibition legislation.

In addition to directing the dry campaign and electing a candidate of their own, the radical temperance men dealt some hard blows upon temperance-minded but nonprohibitionist political candidates. Chester Rowell was the only candidate for United States Senator in the primaries who had taken an active part in the temperance movement; but when he failed to make a definite statement favoring absolute prohibition he was repudiated by the radicals, who turned to the nondry candidate, Francis J. Heney. They did this, Rowell decided, because he was so nearly bone dry that they considered him a traitor for not going all the way.[18] Rowell was unable to view the defection without rancor. He wrote:

> They should be reminded that under this test not a single candidate yet announced for the nomination of any important office by any party could qualify, not even Jack London, the only candidate yet announced for the Prohibition Party nomination for governor. They ask whether one is opposed to the "manufacture, sale, or use" of intoxicating liquors as a beverage. It happens that London, while opposed to their manufacture and sale, himself uses them in large and promiscuous quantities, and announces his intention to continue to do so.[19]

Hiram Johnson, running for governor on the ticket of the newly organized Progressive party, wrote even more bitterly to Rowell after receiving reproving letters from several drys, including a spokesman for the California Dry Federation.

> The "Dry" fanatics are making threats all over the State of California about what they are going to do to me, if I don't come out "Dry." They are perfectly satisfied that all of the other candidates shall come out "Wet" and they will vote for an absolute "Wet" candidate if I do not declare for the "Dries." Your reasoning is apt I think—that they will turn from a man they consider 95% good and vote for one they consider 5% good, and thus would prove they were 90% wrong.[20]

The 1914 campaign was fought under extremely discouraging and embarrassing conditions, as far as the Anti-Saloon League was concerned. The League professed itself willing, however, to lead a campaign in 1916, by which date local option would have had time to work its way through the state. By 1916 local-option campaigns under League direction had dried up the rural areas of twenty-one counties and had resulted in the voting out of saloons in one or more of the supervisorial districts in the jurisdiction of the southern California division of the League, as well as in many towns and incorporated cities. The gains were impressive when compared with previous temperance gains in the state, but when compared with the fortunes of temperance in the nation as a whole, they amounted to very little. In 1907 there had been three dry states, and by the end of 1916 there would be twenty-four. The California League felt that prohibition would have a better chance in California in 1916 than it had had in 1914, partly because of the acceleration of the dry trend in the nation as a whole. Most important of all, the League knew that if it did not initiate a dry campaign the radical drys would again launch their own campaign and the League would again be forced to follow. When a dry convention was held in June, 1915, to map strategy for the coming year, the League joined forces with the group immediately and remained in effective control of the campaign from then on.[21]

Gandier had succeeded Chapman as superintendent of the Anti-Saloon League in 1914, and it was he who led the convention and the campaign which followed. In contrast to a single proposition of 1914 calling for immediate prohibition, the 1915 convention drew up two separate propositions, both considerably milder than the 1914 proposition. The first called for outright state-wide prohibition but provided for a four-year period of grace before it would take effect. This long transitionary period was designed to meet the argument that the Cali-

fornia grape industry would be ruined by prohibition. Under proposition number one, grape growers and wineries would have four years to convert to some other field of activity. The second proposition drawn up at the convention was a very confusing measure. It prohibited "possession, gift or sale" of alcoholic beverages "in saloon, dramshop, dive, store, hotel, restaurant, club, dance hall or other place of public resort." It permitted consumption of liquor in the home, but it made the purchase of liquor difficult by imposing numerous additional restrictions. During the campaign a wide difference of opinion was manifested over exactly what was contemplated by it.[22]

This second proposition was publicized by the dry forces as an antisaloon measure pure and simple. The drys made a poor start, therefore, when they agreed to title the proposition "partial prohibition." Realizing the impolitic nature of the title, they worked successfully to have the official title changed to simply "Initiative Amendment," and then went on to capitalize on their earlier mistake by contending that the original title had been a piece of trickery by the liquor forces in connivance with state officers. That the drys actually viewed the measure as something more than an attack on the saloons is indicated by the fact that they had not contented themselves with a proposition outlawing the saloons and nothing more. C. K. McClatchy of the Sacramento *Bee* made the point in a letter to Hichborn, answering Hichborn's claim that the measure was innocent of all but antisaloon intent.

> Your friends talk about a misleading ballot title and object to "Partial Prohibition." I would suggest then that you call it "Pecksniffian Prohibition"—for that is about what it is. It is practically nothing more nor less than an effort to force prohibition down the throats of the people under the lying plea that it is only an anti-saloon fight that its proponents are making.[23]

The California Campaign Federation, the organization formed at the dry convention, was created exclusively to support these two propositions, and it refused to be sidetracked into supporting any of the political candidates for office in the election. The task of supporting two different propositions simultaneously had its difficulties. One problem the drys faced was the widespread belief that the measures would be in conflict if both should carry.[24] The tactic had its advantages too, however, and not the least of these was that it was a means whereby all the diverse elements of the temperance movement could be united in one campaign. Supporters of one view were obliged to contribute to the campaign for the other. "I am not a prohibitionist," the Progressive Republican Philip Bancroft wrote, in submitting a campaign con-

tribution, "and do not intend to vote for prohibition, but I want to do my little to assist in your campaign against saloons."[25] There were in the state, according to Arthur Arlett, the campaign leader for northern California, about a quarter of a million people who were ready to insist on a total-prohibition proposition; but, he added, "the rest of us are going to insist that some other measure possible of successful carrying shall also be there."[26]

The California Campaign Federation faced the fight with slender but adequate financial backing and a superabundance of volunteer labor. So abundant was labor in comparison with money that, in order to save the two cents postage on campaign literature directed to specific businessmen, the Federation had volunteers deliver the literature in person. The leaders of the organization were nettled by the widespread belief that they had unlimited funds at their disposal.[27] They resented letters such as McClatchy wrote Hichborn early in the campaign.

> Arthur Arlett comes up to this city and admits that they have a campaign fund of $250,000 for the coming election. That probably is not one-fourth of what they have or can get. The Anti-Saloon League also has an annual income of from $1,000,000 to $1,500,000, and the pockets of the Rockefellers and Carnegies, and men of their ilk, are being tapped right along for campaign purposes. The prohibitionists are spending money like a drunken sailor on shore.[28]

Actually, the campaign was launched with no funds at all, the money being raised on a week to week basis, and throughout the campaign all the funds were raised within the state. The chief sources were the church congregations and the businessmen who had been convinced that prohibition or partial prohibition would be good for business and labor.[29] That church members contributed heavily was indicated in a letter from Gandier describing as a "good offering" a contribution of $635 from a Methodist Church congregation of three hundred members, sent in response to a Federation appeal.[30] The technique used was to solicit pledges for money first and try to redeem the pledges later. The greatest possible amount was extracted from the churches by levying contributions from the church funds as well as from the individual members.[31] The campaign committee had high hopes of large contributions from businessmen, but the hopes were not entirely fulfilled. Gandier eagerly sought out "millionaires with large California interests,"[32] and Arthur Arlett was undoubtedly chosen to head the campaign in northern California because as a businessman he was expected to exert a strong influence over other businessmen in this regard. Arlett approached businessmen aggressively with demands for $500 donations.

Southern California contributed $116,000 and northern California $94,000 in the final three months of the campaign. Early in the campaign southern California had contributed $20,000 and more each month, while northern California had done somewhat less well, and Gandier fought, apparently with some difficulty, to have some of the southern California money diverted to the north.[33]

The campaign for the money as well as the votes of the businessmen was furthered by the organization of Business Men's Economic Leagues throughout the cities of the state. "If we can get a big Business Men's League signed up and have the women with us," Gandier wrote in July, "we will put the fear of something into some of our wobbling business men."[34] The Business Men's Leagues, originating in Berkeley, proved a disappointment. Although a number of branches were organized on paper, Hichborn complained as the election approached that he had nothing but six-month-old information about them with which to answer the challenges of the wets questioning their existence.[35]

The great advantage of the drys remained in their almost unlimited corps of volunteer labor. Of the many groups on which the drys were able to rely, the W.C.T.U. was probably the best organized and the most effective. It was experienced in the work and was usually willing to follow the directions of others. According to Hichborn, it was mainly through the work of the W.C.T.U. that the signatures needed to put the two measures on the ballot had been obtained in the first place, the ministers who had been approached to do the work having been unfamiliar with the law governing circulation of direct-legislation petitions. The W.C.T.U. had, among other organizational advantages, a permanent organization of press superintendents throughout the state at county and local levels, although many local press superintendents had to be appointed after the campaign had been launched. The press superintendents were at once put at the command of the Campaign Federation and went far toward making up for the drys' reluctance to invest their meager funds in newspaper advertising in all parts of the state. The existence of the staff of W.C.T.U. press representatives meant that newspaper editors throughout the state would be regularly approached by women who were convinced that it was the duty of the editor to print literature on the campaign as news rather than as paid advertising, if it favored the nonpartisan dry cause. In addition, the W.C.T.U. was well organized to act as the distributing agency for campaign literature. The League itself, of course, had its own local organizations, which to a large extent duplicated the efforts of the women.[36]

The official publication of the Campaign Federation was the *California Liberator,* which from that point on succeeded *The Searchlight* as the official publication of the California Anti-Saloon League. The new title was taken from a Progressive newspaper which had been published in San Francisco during the graft trials. Its use indicated a willingness on the part of the League leadership to associate its cause with the Progressive movement in general; the serious opposition that was brought against the new name by League members indicated a dissenting opinion which would become dominant in future years.[37]

The Campaign Federation appointed its own representatives down to the small-town level, in addition to using the representatives of other local temperance and church organizations. A routine meeting held in Los Angeles well before the campaign was at its height was attended by four hundred workers, although no announcement of the meeting had been made in either the press or the pulpit—the precinct workers had merely been notified informally through the regular Federation machinery. Despite this embarrassment of riches the Dry Federation leaders were disturbed to find that civil service employees were not legally permitted to take part in the campaign.[38] "This, to my mind, is a rank injustice," Arlett wrote the Collector of Customs in San Francisco. "There is nothing partisan in such an issue, and the emasculation of the citizenship of civil service employees to this extent seems to me grossly unfair."[39] The matter was taken up in Washington by the national legislative representative of the Anti-Saloon League, apparently without success.[40]

The hope of the dry campaigners was to win the election by making inroads into those groups of voters who had for the most part voted wet in previous elections: businessmen, laborers, Catholics, and San Franciscans in general. The appeal to these groups was based heavily on the record of prohibition in other states on the score of business conditions, police records, enforcement problems, rise in savings accounts, and the general attitude of the citizens. The campaigners solicited letters from these states, deleted the unfavorable information, and gave the resulting statistics wide publicity. The most valuable piece of propaganda, in their opinion, was a special issue of the Seattle *Times,* a newspaper which had originally opposed prohibition, but which had been won over by the resulting improvement in conditions. Reprints of the special issue were distributed throughout the state.[41]

These reports were keyed to the labor unions as much as they were to business interests, and Hichborn, in constant contact with the lead-

ing San Francisco labor leader, Paul Scharrenberg, believed that he could observe a marked swing toward prohibition in labor circles, based on records of improved labor conditions in dry areas. The drys never suggested that San Francisco would vote a majority for either proposition, but they hoped that, if the city went wet by no more than sixty thousand, the majority could be offset by the vote in the rest of the state. Arguments such as the statement by a member of the Seattle cake makers' union that more cakes were bought under prohibition were expected to be influential.[42]

The League made a serious bid for the Catholic vote for the first time in 1916 when it availed itself of the services of a tireless champion of temperance, Father M. J. Whyte of Sunnyvale. Father Whyte volunteered his services to the cause, and Gandier, according to Hichborn, was doubtful whether to accept the offer, because of the strong distrust of Catholicism among temperance men. After meeting Whyte, however, Gandier decided to enlist his services, and the large gains registered by the temperance movement in the next three years were in Hichborn's estimation due to Father Whyte's work among the Catholics more than to the work of any other man except Gandier. Whyte became an officer in the League and remained active in the movement until the passage of the Eighteenth Amendment. He was the only Catholic priest in the history of the state to take an important part in the drive for prohibition.[43]

In the face of the united dry attack and the strong chance that the "partial prohibition" proposition would pass, the liquor interests throughout the state organized a greater offensive than ever before. Local organizations sprang up in various communities under various names, in addition to a state-wide organization, the United California Industries. Whether or not these local organizations were affiliated with the United California Industries, they gave the appearance of independence and adapted themselves to local conditions. The organization called the Allied Interests of San Francisco identified itself openly as an antiprohibitionist organization and listed among its members the Importers & Wholesale Liquor Merchants Association, the San Francisco Brewers' Protective Association, the San Francisco Hotel Men's Association, the Bottlers' Protective Association, and the Knights of the Royal Arch. It operated under the slogan, "One Fund for One Cause."[44]

In temperate Los Angeles the wets moved more quietly. They organized the California Prosperity League, established, so the official report

stated, "to keep California prosperous, promote industry, restore and preserve California landmarks and missions, increase state and national highways, develop a system of flood control and secure a military and naval academy for southern California." Committees were at work on each of these lines of activity, the report stated, but "the first big task at hand is to vote California prosperous through the defeat of prohibition at the election November 7."[45]

The United California Industries, the chief agency of the wets, brought publicity experts from out of state and apparently gave them enormous sums to spend on the campaign. An official of the national Anti-Saloon League wrote Gandier that he had proof that one of the publicity men had deserted his wife and taken another woman with him. "Do you want me to button up the facts in this matter and blow him up?" the man wrote.[46] Gandier apparently did not avail himself of the information. Smear tactics in general appear to have been avoided in the California campaign under Gandier. Arlett declared that every saloon in the state was assessed one month's rent for the campaign, which, he estimated, would alone raise two million dollars for the wet campaign.[47] The Allied Interests of San Francisco requested one month's rental as a contribution from all landlords and property owners of the city, even if they were not directly concerned with the liquor traffic. The drys conceded that the wets were doing a thorough job of publicizing their cause and only hoped that they were "overdoing" it.[48]

The *Wine and Spirits Review* on the eve of the 1916 wet victory was full of praise for the activities of the wets.

> Too much credit cannot be given to the United California Industries, the California Grape Protective Association, The United California Interests, the Trades Union Liberty League, the California Prosperity League and all the other organizations opposed to prohibition, for they have left no section of the field overlooked, and they have worked with perfect harmony for the common cause.[49]

Such a spirit of coöperation was unusual among the wets and was not to survive another dry campaign. It was possible in 1916, because all elements of the liquor industry, including the wine industry, were being simultaneously and equally attacked. The wine industry would have preferred to turn its back on the rest of the industry, and had tried to do so in the preceding year, but in the face of a drive for total prohibition in 1916 it was forced to join or die.

The result of the election was defeat for the drys on both propositions, but the defeat was much too narrow to give comfort to the liquor interests. Outright prohibition was defeated 538,200 to 436,639, and

partial prohibition was defeated 505,783 to 461,039. The margin against prohibition had been cut since 1914 from 169,000 to 102,000, and the thin 44,000-vote margin which defeated the equivocal partial prohibition measure seemed to indicate that the League, supported by the continuing migration from the Midwest, ought soon to be able to inflict mortal wounds on the liquor industry, even if it was not likely to be able to slay it in one blow. The 1916 campaign, more heavily financed and more responsibly led than the 1914 campaign, probably got out the full dry vote as the earlier campaign had not. The California Parents' and Teachers' Association and the California Federation of Women's Clubs, both of which had refused to endorse the 1914 prohibition amendment, had endorsed both 1916 amendments early in the campaign. To what extent the heavier dry vote in 1916 represented a genuine statewide trend, and to what extent it represented simply a more skillfully managed campaign remained a moot question, and in the rush toward national prohibition which presently swept America it became a question of no practical importance.[50]

Chapter VIII

THE EIGHTEENTH AMENDMENT, 1917–1919

The campaign to make California dry became a purely sentimental matter in December, 1917, when Congress, under the direction of the national Anti-Saloon League, submitted to the states the national prohibition amendment. The national League had launched the drive for national prohibition in 1913, and at that time Gandier had written to the ministers of California: "We are much more ready for national prohibition than for state prohibition in California," which was to say that the idea of prohibition was not as popular in California as it was in most states. At that time one-half the people of the United States lived in no-license territory, Gandier wrote, while only 25 per cent of California's population lived in no-license territory. Had the hand of the League not been forced by the radical drys, it is unlikely that dry campaigns would have been held in California in either 1914 or 1916. Left to its own devices the League would probably have concentrated on smaller gains, such as the strengthening of the local-option law, with the view to preparing California for the coming of national prohibition.[1]

The 1916 campaign demonstrated that San Francisco's wet vote was sufficient to keep the state in the wet column, but since the 1911 reapportionment of the state voting districts, San Francisco was no longer in a position to dominate the state legislature, and with the submission of the prohibition amendment by Congress, Gandier and the League turned their energies immediately to the election of a dry governor and a dry legislature. In the grand new struggle for national prohibition, the League announced, another futile campaign for state-wide prohibition would only waste energies of the dry forces. To radical temperance men this course was only another League compromise with evil. Prohibitionists had fought the devoted fight in California at a time when any victory at all was out of the question. Now, with the victory almost in sight, the radicals were determined to place a proposition for state prohibition on the 1918 ballot and to word the proposition in as uncompromising a manner as possible. The showdown came with the convention of the California Campaign Federation in 1918, and the split in that convention marked the official end of the united dry movement in the state. Unofficially the movement had been split somewhat earlier by a new development in the dry movement, one which originated in the mind of the newspaperman William Randolph Hearst.[2]

A Hearst representative approached the 1917 legislature with a temperance program designed especially for California. The Hearst press had for some years opposed the saloons editorially, and the Hearst plan was an antisaloon and liquor restriction bill rather than a prohibition measure. Its special feature was the ironclad protection which it tried to give to the California wine industry. As originally presented the plan would have permitted the virtually unrestricted sale of dry wine. But the measure defined legal dry wine as that containing not more than 10 per cent alcohol; it was therefore opposed by the wine as well as the hard-liquor interests, since 90 per cent of the wine produced in California would have been banned under its terms. While the entire liquor industry opposed the measure, the drys in the legislature would do no more than "poke at it suspiciously," and it was with difficulty that a sponsor, Senator Joseph Rominger of Los Angeles, was at length found for it. The plan was passing into the discard when the Hearst representative succeeded in interesting Gandier in his bill. With Gandier's assistance the bill was rewritten and launched on a stormy four-year course.[3]

The Rominger bill represented the first serious attempt to present a temperance measure which recognized the special position of the wine industry in the state, a fact which the wine industry, after a period of cautious examination, came to appreciate fully. Throughout the pre-prohibition era the grape and wine industry vacillated between three disagreeable alternatives: To oppose the liquor interests was to support the prohibitionists, who refused to distinguish between the native fermented grape juice and other forms of alcoholic beverage; to support the liquor interests was to associate the wine industry with the most disreputable and incorrigible forces in the struggle; and to attempt to stand on its own merits was to face the bitter opposition of both prohibitionists and liquor men. Faced with these choices the wine interests unsuccessfully attempted each one in turn.

The grape growers had organized on a state-wide basis in 1908 to meet the rising threat of prohibition, under the leadership of Horatio F. Stoll, whose activities led the San Francisco *Prohibitionist* to declare that Stoll was "a disgrace to his fellow grape growers and ought to be forced to pull up his vines."[4] At that time the leading figures in the grape growers' organization saw no division of interest between the wine and the liquor interests. E. M. Sheehan, manager of a winery and a member of the State Viticultural Commission, assailed members of the industry who were willing to let the liquor interests do all the fighting in a "battle which is more in the interests of the masses of

vineyard owners than the few who handle and dispense the raw material."[5] In 1910, when the fight for a new local-option law was in full course, the Grape Growers of California joined the other liquor groups in fighting local option. At the same time there existed a feeling among wine men that they represented an element in society superior to that of other liquor producers. The chief spokesman for this group was Andrea Sbarboro, who preached the doctrine that the Old World habit of drinking wine with meals was a strong force for temperance. Drunkenness, he asserted, was almost unknown in the wine-consuming areas of Europe, and the encouragement of wine consumption in America would be the encouragement of "true temperance."[6] The wine men themselves, many of whom had come from the wine-growing areas of Europe, of course assumed Sbarboro's argument to be true beyond question. To argue about whether wine was a food was to miss the point that it was an essential part of the meal and that the lack of wine would disorganize the eating habits of those accustomed to it. In this respect wine obviously differed from beer or hard liquor.[7] Assuming that wine had special claims, the wine men nevertheless joined with the liquor interests in the fight against local option on the grounds that, so far as the temperance movement was concerned, the wine and liquor men had a common basis for opposition. The *Pacific Wine and Spirits Review* went so far as to extend the "true temperance" idea to cover the consumption of all alcoholic beverages, declaring: "It is well known that alcohol assists human beings to control their lust. This is because it stimulates the brain and makes the mental man superior to the physical." As proof of its thesis the *Review* referred to recent scandals in dry Long Beach, and to the excesses of the teetotaling Turkish people.[8]

A split between wine and liquor men began to develop toward the close of 1914, when it appeared to many wine men that by attaching their cause to that of the liquor men they were being pulled along toward total prohibition. It became apparent that in the course of the fight the wine interests were becoming dangerously involved in the protection of the saloon, in which they had virtually no interest. In the campaign against prohibition in the election of 1914, Theodore Bell, attorney for the California Winegrowers Association, presented the case for the entire liquor industry of the state, but after the election, the Winegrowers Association mapped out a completely separate strategy for the coming year, a strategy which they hoped would win for them strong support from elements of the temperance movement.[9]

When the 1915 legislature convened, Bell, speaking for the Wine-

growers Association, put forward a comprehensive temperance measure. The measure would have increased the area for local-option elections from the supervisorial to the county unit and would have included all towns in the area having a population of less than eight thousand. It would have established an absolute limit of one saloon to one thousand population in areas where saloons were permitted; it would have imposed midnight and Sunday closing limitations; and it would have prohibited any wine maker, brewer, distiller, or wholesaler from having any pecuniary interest in a saloon. Saloon licenses would have been issued only to the owner of the property and under heavy bond. The measure contemplated drastic laws concerning the sale of liquor to minors and drunkards, and the elimination of improperly operated saloons. It provided also for the issuance of separate licenses for the sale of wine and beer.[10]

Except for the special feature of wine and beer saloons, the measure was the severest one ever placed before the California legislature by any important interest in the state. It thus appeared early in the 1915 session that the wine interests were determined to break with the hard-liquor interests altogether. As it developed, the Winegrowers Association did not present the bill but instead joined the liquor men in support of the Bismarck Bruck Amendment, which provided for the payment of compensation should the passage of a law or constitutional amendment result in damage to any vineyard, wine cellar, hop field, brewery, distillery, or other property used in producing, growing, or raising grapes or hops, or in manufacturing wine, beer, malt, or distilled liquors. The decision of the wine men to return to the fight for the saloon was the result of both pressure and persuasion by the liquor interests. Distribution of wine outside the state was in the hands of the wholesale liquor business, and pressure was apparently exerted from that quarter. In addition, the liquor men put forward the argument that the Anti-Saloon League was simply using local option as a bridge to total prohibition, and that the wine industry could not hope to escape, except by fighting prohibition on all fronts. This argument was supported in 1915 by the earnest preparations of the League and other dry groups for the 1916 California dry campaign. Faced with this uncompromising position, the wine interests abandoned their county-option measure. In the meantime, the Bruck Amendment, overlooked by the legislative representatives of the Anti-Saloon League, was being rushed through by the liquor interests. Its passage would obviously have bogged down the temperance movement in endless legal

complications involving every saloon, wholesale liquor house, and other interest even remotely connected with the liquor trade. The discovery of the bill by Gandier, who had been absent during the early part of the session, was soon followed by its defeat. It failed of passage in the assembly by only three votes. The amendment was proposed primarily as a protection for wine growers, but an amendment to it restricting its provisions to the wine industry had been defeated.[11]

The wine interests went on to fight the 1916 prohibition proposition side by side with the other liquor groups, but such an alliance was becoming increasingly dangerous. During the 1915 legislative session a spokesman for the liquor interests had declared that "we are not interested in any proposed legislation that aims to regulate our business." For the favored wine industry to follow such a lead, many thought, was to take an unnecessarily risky course. The Hearst-sponsored Rominger bill presented in the 1917 legislature seemed to the wine men to offer an excellent way out of a difficult situation.[12]

The revised Rominger bill prohibited the sale of distilled liquors anywhere in the state and abolished the saloon, but it permitted the sale of beer and of wine having an alcoholic content of not more than 14 per cent in hotels, restaurants, and clubs; it permitted also the sale of fortified sweet wine of 21 per cent alcoholic content for consumption in the home, the manufacture of brandy for export, and the importation of beer and wine.[13]

While the radical prohibitionists considered the bill an attempt to promote the liquor traffic, the League considered it a method of restricting the traffic which was especially suited to the California situation and in complete accord with the League's opportunistic methods. The Rominger bill was a means of splitting the liquor forces, but, more important, it was a means of winning converts to total prohibition. Gandier viewed the Rominger bill as a step toward prohibition because he believed that wherever restrictions were placed on the liquor traffic the resulting improvement in conditions encouraged the people to demand new restrictions and so led inevitably to prohibition. Also, all restrictions on the liquor traffic weakened the political power of the liquor interests to force their system on an unwilling public. Gandier had the optimistic view that mankind, given the opportunity, would redeem itself through its own good nature. The nonreligious Prohibition party, imbued with the Christian belief in original sin, believed that evil would flourish wherever the liquor traffic was permitted to exist. The Rominger bill from the first, therefore, drew

unremitting fire from radical prohibitionists as well as from distilled-liquor interests, while intermediate groups gave it reluctant and wary support. Nevertheless, under Gandier's direction it resulted in major gains for the dry cause in the three years before the enactment of the Eighteenth Amendment.

In both northern and southern California, Gandier succeeded in winning the support of the W.C.T.U. in the fight for the Rominger bill. The W.C.T.U. worked actively for passage of the bill but refused to take a public stand in favor of it. In southern California, however, Gandier was widely denounced in churches and temperance meetings as the betrayer of the dry cause, and thousands of telegrams and letters were sent to dry legislators declaring the Rominger bill to be a trick of the wets and insisting that it be opposed. Gandier finally won the support of every dry state senator except Frank Merriam, who, backed by strong dry support, voted no in the conviction that the bill "will not advance the interests of prohibition but will hinder and delay its coming."[14]

The hoped-for support did come from the wine interests, despite threats from the wholesale wine and liquor distributors, and after one defeat the bill passed the senate 22 to 17. In the assembly the bill was defeated 46 to 32, and all hope was lost for it for that year. After the bill's defeat the grape growers decided to place the Rominger bill on the ballot in the 1918 election. In the meantime the practical value of the measure was demonstrated throughout 1917 in campaigns for local ordinances based on the provisions of the Rominger bill. The campaigns for the Gandier ordinance, as they were called, brought the League major new successes in southern California and the inland valleys. In towns throughout the San Joaquin Valley, including Bakersfield and Stockton, the saloons were voted out, and the campaign was climaxed by victories for the Gandier ordinance in Los Angeles and San Jose. Throughout the campaign one key to the new successes apparently was support from the Catholic and foreign-born voters, who were willing to see the saloon banished under a system which would protect the selling of beer and wine. Of great importance to the campaign, therefore, was the work of Father M. J. Whyte, who campaigned with particular effect in the strategic San Jose election. Father Whyte's services were recognized by the League in his appointment as the only Catholic member of the Executive Committee of the state Anti-Saloon League.[15]

The League concentrated its efforts on the San Jose and Los Angeles elections and won an early advantage when it secured overwhelming

newspaper support in both cities. Both San Jose newspapers supported the campaign, and every major newspaper in Los Angeles except the *Record* supported it. San Jose voted for the ordinance 6,214 to 4,667, whereas in the previous year it had voted against prohibition by a majority of about one thousand. The margin of victory was a surprise even to the drys, and to their minds practically assured victory in the Los Angeles election which soon followed. The Los Angeles Liquor interests, apparently despairing of victory in a straight fight against the ordinance, devoted their efforts to confusing the issue by placing on the ballot two additional measures dealing with saloon reform and then sometimes advising the voters to cast their ballots against all measures, and at other times to cast their ballot for one of the measures. As the election approached, some wet organizations deserted the saloon altogether and placed their hopes on an ordinance which, while closing the saloons, would have allowed the sale of liquor in hotels, restaurants, and liquor stores. The drys were treated to the spectacle of liquor men announcing in advertisements: "There is no place in America for the saloon. This is not an economic question, but it is a moral one." Such strategy probably worked against the liquor interests. The drys, with their full newspaper support, were able to instruct the dry voters; whereas the wets were put to confusion by their own tactics. The Gandier ordinance passed overwhelmingly 54,455 to 34,281, while both of the measures sponsored by liquor groups were defeated by six-to-one landslides. The city of Los Angeles had voted wet in the previous state election by a narrow majority, just as San Jose had. The popularity of the Gandier ordinance in Los Angeles, as in San Jose, seems to have been due in large measure to the support it won from Catholic voters. The Gandier ordinance was to prove of further value to the dry cause after the passage of the Eighteenth Amendment. Los Angeles voted down a measure providing for local enforcement of the Eighteenth Amendment only to be confronted by a court decision which found that the Gandier ordinance, operating under the national prohibition law, became automatically a bone-dry ordinance. In San Diego the League supported the fight for a bone-dry ordinance in 1917, despite Gandier's doubts about the wisdom of proposing it. The ordinance, which would have prohibited the bringing of liquor into the city or the drinking of liquor in the home, was defeated.[16]

The end of 1917 found the various liquor interests thoroughly divided and demoralized. The breweries, despite their extensive saloon holdings, in some places gave up the saloon as lost and began running full-page

temperance advertisements depicting beer as the true temperance drink. The breweries were thus at odds with the distilled-liquor interests, for whom there appeared no hope. The grape and wine interests continued to strive earnestly for a reign of temperance which would prohibit the drinking of brandy as well as whisky, but which would permit the drinking of wine. The Grape Protective Association was disingenuous in its campaign for true temperance. So far as possible it attempted to identify itself with the dry table wines while quietly insisting that the fortified sweet wines be given the same consideration as the dry wines. In this strategy it was wholeheartedly supported by the State Viticultural Commission, which was staffed for the most part by wine producers.[17] To temperance men like Rowell, who believed that the wine industry in California deserved some special consideration, the refusal of the Viticultural Commission to make any concessions to temperance sentiments was irritating. Of the California sweet wines Rowell wrote to Hiram Johnson:

> . . . there never has been any excuse for their existence except a booze excuse and logically they should be stopped whenever whisky is stopped. Practically, however, they are going to be preserved under the Rominger bill in California. As you must know if you ever tried to drink them, they are not fit to drink and serve no purpose which whisky could not serve better.[18]

Although the grape growers and wine producers defended their industry on the basis of the dry wines, the California wine industry actually used twice as many grapes in the production of fortified wines as it did in the production of dry wines. Rowell argued that the Viticultural Commission was taking the short view in not advising producers of sweet wines to convert to other purposes. Conversion to the production of raisins, syrups, and other grape products would have been relatively easy for them; whereas for the producers of dry wine, "the only wine which has much moral right to consideration," no practical alternative uses had ever been discovered. The Viticultural Commission, by "kicking against the pricks in a protest against the inevitable," was destroying for the dry-wine producers any hope they might otherwise have had for special consideration when prohibition should come.

By mid-1918, when Rowell wrote, the final stampede toward national prohibition was already on, and the event which, more than any other, had set it afoot was the American declaration of war in 1917. The war was to justify itself in the eyes of temperance men as the occasion for the wartime prohibition which preceded the passage of the Eighteenth Amendment. Wartime prohibition was passed as a food conservation

measure. But the war did more than provide this new rationale for prohibition; it gave temperance men the opportunity to identify temperance with Americanism and to identify the liquor interests with treason. The drys pressed for this conclusion along two separate lines: they tried to identify, in the minds of the public, the liquor interests with the European enemy in general, and the brewers in particular with the German enemy; and they used the closing of saloons around military establishments as a means of drying up metropolitan areas. "Reader," the *California Voice* declared, "you never had such an opportunity before to do your state, your nation, a real patriotic service as you have now."[19]

The necessity of closing all saloons in the vicinity of army camps did not always impress the War Department as much as it did the temperance men, but it was used to great effect in local dry campaigns. When an army camp was moved away from the San Francisco peninsula the Anti-Saloon League immediately assumed that the decision to remove it had been made on the basis of the deplorable saloon conditions which existed in the neighborhood. It did not matter much to the drys that the decision to move the camp had nothing to do with local conditions. The army did have a policy of regulating conditions near military camps, the restrictions usually applying to the area within a five-mile radius of the camp. The drys worked to have a dry area of fifteen-mile radius created around such camps and installations. Such a limit would have closed down all the saloons in San Francisco.[20]

The proponents of the bone-dry prohibition ordinance in San Diego drew much hope of success from the patriotic angle. "We need something terrifically patriotic to shoot," the leader of the San Diego dry campaign wrote shortly before election. "Enclosed find a slacker cartoon we used with fairly good effect." By the following day he had thought up a patriotic gimmick:

> What we want is that General Cameron shall step on things hard. If he will on Thursday or Friday morning next week refuse liberty to the boys to go into San Diego until conditions are improved our battle would be won. This need not involve the War Dept. and it will refute the steadily published report by the wets of Gen'l O'Neil's interview in which he pronounced San Diego the most moral city in his 34 years experience.[21]

The San Diego drys were unsuccessful in their patriotic saloon-closing efforts, but in Vallejo the opposition of the saloonkeepers was met by a sweeping injunction which closed all saloons within five miles of the navy base. According to the Anti-Saloon League the government was

also considering the internment of the brewers of Vallejo. The League commented: "They are men of German descent and there is suspicion that in addition to their subserviency to the booze interests they are altogether too friendly to the Kaiser. The combination is a natural one."[22]

The jingoistic association of the brewers with the German enemy was exploited by drys generally, but it was used with particular savagery by the radical prohibitionists, who expressed themselves as being opposed to the "foreigner, alien to the principles of Americanism," and to every man who, by serving liquor, "sets a trap for the boy and girl and cultivates the appetite that is later exploited by the owner of brewery stock in Germany who uses his tainted wealth to buy poison gas or liquid fire to torture the troops of the Allies." Of prohibition they declared, "It is first and foremost a patriotic programme of 'win the war.' "[23] The campaigns to protect the morals of soldiers and to place beer and liquor "in the ranks of Germany's allies," were supporting actions to the main campaign to impose national prohibition in the interests of food conservation. The battle was fought on the national level, but it was considered by local leaders to be very effective in promoting local temperance appeals.[24] The 1918 prohibition proposition was presented to the voters by the Bone Dry Federation as a "patriotic endeavor to conserve the man power, food products, fuel and transportation facilities of our country, to the end that we may win the war."[25]

In February, 1918, with the national prohibition amendment already submitted to the states, with partial wartime prohibition in effect, and with complete wartime prohibition in prospect, Superintendent Gandier, as head of the executive committee of the California Campaign Federation, called a convention of all the dry forces in the state to consider a plan of action for the coming year. Gandier attempted to unite the drys in a single-minded effort to elect a governor, lieutenant governor, and legislature pledged to ratification of the Eighteenth Amendment. He wanted to head off any independent campaign for state-wide prohibition. He personally approved of actively supporting the wine men in their campaign for the Rominger bill, but he expected to do no more than hold the drys to a position of neutrality on that issue. So far as the convention itself was concerned, Gandier was successful. The majority report, approved by a vote of 355 to 170, embodied the Gandier program and provided for the organization of a committee to direct the state and local elections. The campaign was to differ from

that of 1916 in that the temperance organizations would operate independently under central direction rather than as a single organization. The committee was to examine all candidates to determine where it would place its support, and in places where no candidate was suitable, the committee would put a candidate of its own into the field. No action was taken on the Rominger measure.[26]

Defeated in the dry convention, the disaffected radicals called their own convention, organized the Bone Dry Federation of California, and began circulation of a petition to place another total prohibition proposition on the ballot. The radicals, as in 1914, had their own way entirely with their proposition, and again they drew up an uncompromisingly severe measure. It provided simply that "every person, firm or corporation, which manufactures, imports or sells intoxicating liquors after the 31st day of December, 1918, except denatured alcohol, shall be guilty of a misdeameanor."[27] The measure concluded with the punishments to be administered to the lawbreakers. Even sacramental wine was not exempted from the terms of the proposition.

The activities of the Bone Dry Federation were ignored by Gandier and the Anti-Saloon League until August 5, when the Federation was successful in collecting sufficient signatures to place its measure on the ballot. Then Gandier issued a statement declaring that past court decisions had proved that such a measure could not possibly interfere with the use of wine for sacramental purposes, and recommending that temperance men vote for the measure and against the Rominger bill proposition. Thereafter the League again ignored the activities of the Federation as far as possible and concentrated on the campaign to elect legislators to ratify the national amendment.[28]

The Bone Dry Federation for its part directed its campaign less against the liquor interests than against the League and Gandier. It pitched its appeal to temperance organizations outside the League, particularly the W.C.T.U. One Federation leaflet declared:

> Mr. D. M. Gandier is now doing his utmost to own and control the W.C.T.U. of California. . . . Gandier is not going to be content until he *puts a ring in its nose.*
>
> . . . Bone Dry is the only possible method of remedying conditions at all, in case national ratification fails. There is always that possibility. *Gandier dare not kill the liquor traffic! In fourteen years he has not even given it a black eye!*[29]

In northern California the W.C.T.U. remained loyal to the League despite bitter opposition from some members. The W.C.T.U. of southern California also joined in support of Gandier, as did the Ministerial Union of Los Angeles. The Bone Dry Federation nevertheless continued

its attack on Gandier with unabated fury. Gandier, it declared, was exercising "the power of the Kaiser" to insure the passage of the Rominger law, aided by the liquor industry. It urged all drys to vote for the dry proposition as a protest against Gandier.[30]

The bitterness of the 1918 campaign was aggravated by the catastrophic epidemic of influenza which raged across the country. The fear stirred up by the epidemic increased as election day approached, and probably became a factor in the election itself in keeping many voters away from the polls. The total state vote, 714,525, seems unusually small even for an off-year election, when compared with the vote of 1,045,858 two years earlier. The circumstances probably worked in favor of the prohibitionists, who, stiffened by their high resolve as less dedicated voters would not have been, may have been able to make a disproportionately large showing at the polls. Much was later said about the absence of the "soldier vote" in the 1918 elections, however, that may have affected the result. For whatever reason, the bone-dry proposition, without widespread church or newspaper support, lost by a margin of only 30,845 votes, whereas in 1916 prohibition had lost by more than 100,000. The total vote on the 1918 measure was but three-fifths of the total vote for and against the 1916 measure. Probably righteous drys drew advantage from the war and the epidemic—an advantage which was not sufficient to make the bone-dry proposition win, but which assisted Gandier and the League to achieve an overwhelming victory in their campaign for a dry legislature.[31]

Hurried along by war and pestilence, the California Anti-Saloon League reached the peak of its effectiveness in the campaign of 1918. Never again was it to equal the demonstration of skillfully directed power of this fight, the last one waged under Gandier's direction. Despite the bitter opposition of the Bone Dry Federation, Gandier had succeeded in retaining the most powerful elements of the dry movement. With the tireless assistance of Hichborn, he had cultivated the support of the state press with much success outside San Francisco. He enjoyed considerable personal authority among Progressive politicians who, while antagonized by the obstructive tactics of the drys, were indebted to Gandier for past services, and who felt they could deal with him more easily than with other drys. The national surge toward prohibition following submission of the amendment to the states swept California along with it, much to the surprise of California politicians, unprepared for so rapid a development.[32] Rowell wrote Hiram Johnson in the summer of 1918 that the dry forces were "the most active and best organ-

ized political element in the state,"[33] and Johnson was in perfect agreement. Johnson replied:

> The drys appear to me to be in the saddle in California and by reason of their organization and activity, to be fully certain of success. Apparently they don't give a rap for anything else in a candidate except his dryness. He may reek with every political sin and infamy, but, if dry, he answers the full requirements of this singular organization.[34]

One of Gandier's chief difficulties was that the strength of his organization and the political appeal of the dry issue inspired dry politicians to run for office in such numbers as to threaten to divide the field and lose the election to the wets. The incumbent governor, William D. Stephens, a thoroughgoing dry running for reëlection, was the natural Anti-Saloon League choice until he surprised the drys by announcing that he favored compensation by the state for losses occasioned by prohibition. While some dry sentiment favored compensation for wine-grape growers, all opposed general compensation for the liquor interests as being not only legally unnecessary but also unwarranted and unworkable. The announcement was the signal for other dry candidates to enter the field. One strong candidate retreated when Gandier refused him League support, and a second dry candidate, Judge Walter Bordwell of Los Angeles, entered the race in defiance of the League. Bordwell demonstrated the power of the League by polling only 17,038 votes out of a total registration of more than a million. Gandier, determined to support Stephens, was "not much alarmed" by Stephens' announcement in favor of compensation, reasoning correctly that once the wets had lost the battle against prohibition they would stand little chance in the fight for compensation. In the race for the post of lieutenant governor a similar division of the dry field occurred when State Senator Rominger entered the race despite the fact that C. C. Young had received the approval of the League. Rominger, as the only candidate for southern California, the only anti-Progressive candidate, and the nominal author of the Rominger bill, was a formidable opponent of the League. The northern California vote was expected to split between Young and a third candidate, Arthur Breed, who, while not an out and out wet, was the least desirable of the three from the dry standpoint.[35]

The result was a victory for the Anti-Saloon League: its candidates for governor and lieutenant governor were both elected. Stephens' strongest opposition in the primaries came from James Rolph, Jr., the wet, Progressive mayor of San Francisco. Rolph actually won the Democratic nomination, but since he lost his own party nomination to

Stephens by 22,000 votes he was, by the cross-filing laws, ruled out of both nominations; the Democratic party was denied any candidate, and Stephens was the winner by default. Young also virtually won the election in the primaries, receiving his strongest opposition from Rominger.[36]

Campaigns were also waged for the twenty candidates for the state senate and eighty for the assembly. Which candidate the League would support was, in practice, decided by the candidates stand on ratification. The result was a clear majority of assemblymen pledged to ratification and a doubtful majority of senators so pledged.[37] When the 1919 legislative session opened, the San Francisco *Chronicle* reported that "Dr. D. M. Gandier and Franklin Hichborn are supreme in Sacramento tonight."[38] The Rominger proposition, in the meantime, damned by the hard-liquor interests and deserted by the drys, had gone down to defeat.[39]

Ratification of the Eighteenth Amendment was the paramount issue in the legislature of 1919. The legislature was divided, and its organization was dictated by the stand of its members on that question. In the senate the drys received an early advantage when Lieutenant Governor Young packed the all-important Committee on Federal Relations with drys. Of the committee's five members, four voted for ratification. As Gandier had predicted, Stephens pressed the ratification issue aggressively from the start. The senate approved it, 24 to 15, and the assembly followed three days later, 48 to 28. California, one of the wettest states in the Union, became the twenty-fourth state to ratify the amendment. The legislature then proceeded to pass the Harris Prohibition Enforcement Law, placing the law enforcement agencies of the state behind the amendment, which would go into effect in January, 1920. With California's ratification, the state League's struggle to establish a prohibitory law was over, for by that time the success of the campaign throughout the nation was a foregone conclusion.[40]

Gandier and Hichborn were well aware that with the coming of prohibition the struggle was simply entering a new phase. Prohibition would have to be successfully enforced for at least a generation before the battle was won, Gandier felt, and the struggle would be the more difficult because the temperance men would for the first time be placed on the defensive. "In wet territory," he said, "the sight of a drunken man in the gutter brings the comment: 'See what the liquor traffic has done!' In prohibition United States a drunken man will bring the comment 'See what prohibition has done!' "[41] Most drys, however, appeared to believe that the millennium had arrived. Arthur Briggs,

Gandier's successor as superintendent of the California League, declared after the election that the League's work was virtually completed. Thirty-six states would ratify the amendment, prohibition would become the law of the land, responsibility for enforcement would pass to the law enforcement agencies of the nation, and the League could rest victorious.[42]

With national prohibition assured, the National Anti-Saloon League moved on at once to the campaign for world prohibition. Organizing a department of foreign work, the League appointed a seven-man committee to attend the Versailles conference to write temperance reform into the peace treaty. The League received a setback when the State Department, at the request of the British and French governments, refused the delegates passports. The struggle for a prohibitionist world revolution hardly survived this early rebuff, the League soon finding itself fully occupied with the problem of establishing prohibition in one country. So far as California was concerned, the world effort was important in that it removed Gandier from the state at the critical moment of victory. Gandier was appointed to the department of foreign work, and when Europe would not admit him he was sent to Japan.[43] In 1920 he returned to California, stricken with cancer, and died soon afterward. In Rowell's estimation he was "one of the very few men in California whom we could least spare." Another man might have been found, Rowell thought, who could have led the agitation for prohibition, adequately if not as effectively, but "in the constructive and defensive period," he found that there was "no one in a position to take his place at all."[44] It is hardly to be supposed that Gandier, had he lived, could have guided wet California into a law-abiding acceptance of the Eighteenth Amendment; but it seems also unlikely that under his leadership the League would have cut quite so ineffectual a figure as it did in the next fourteen years.

Chapter IX

PROHIBITION: THE DRY CAMPAIGN

In no state was enforcement of the Eighteenth Amendment beset by greater difficulties than in California. The *California Liberator* wrote of the problem of the Mexican border in an article headlined "WIDE IS THE GATE AND BROAD IS THE WAY." Even more difficult was the problem of policing twelve hundred miles of seaboard. The rapid spread of highways and the development of automobile transportation in the prohibition period made enforcement difficult everywhere in the nation; in California, with its expanse of desert, mountain, and sparsely settled country, its seacoast and the Mexican border, the problem was particularly vexing. California was, as State Senator M. B. Harris declared, a "bootleggers' paradise."[1]

The greatest handicap to enforcement was the lack of public support for prohibition. The Anti-Saloon League tried at first to create the impression that the state was wholeheartedly in support of prohibition outside the San Francisco Bay Area "whisky strip," but in truth it was not. The majority of the population in the rural areas of California, with the exception of the northern wine counties, were in favor of prohibition, as indicated by local-option elections, but not a single sizable city in California had given prohibition majority approval. Los Angeles was widely heralded as one of the most moral and prohibition-minded cities in the nation; but that city had refused to vote itself dry before national prohibition, and although on other occasions it returned a majority vote in favor of one dry measure or another, the majority did not represent the overwhelming body of opinion necessary to secure a favorable condition for law observance.[2]

San Francisco and Sacramento had invariably returned overwhelming majorities against any comprehensive dry measure; nevertheless, the Anti-Saloon League supposed that the social habits of the citizens of these communities would be reconstructed by prohibition. After a few years of the experiment, however, not even the League attempted to deny that these two cities were still "soaking wet." The fact was too obvious to disguise. A Mrs. E. V. Thompson of Sacramento, writing the State Law Enforcement League in answer to a request for money, was explicit.

> In answer to your appeal for money would say I have none to spare in this cause. At first I thought it would be a great blessing to our country but the law is not

enforced our city is as wet as ever; Many open saloons are running. I went and informed the dry party here but nothing was done. I played the sleuth and discovered several stills and informed our people but they are still doing business. Your dry agents come up here and rake in a fine sum of hush money and leave after a few good wine suppers and the violation of the Eighteenth Amendment goes on. A great many saloon licenses have been given just lately—others renewed. Our police force are a bunch of every day drunks—so what is the use of wasting money on a worthless purpose like this. I readily believe this Eighteenth Amendment was brought about to create a good paying position for a lot of lazy politicians at the expense of the public.[3]

It was in San Francisco, of course, that the nullification of prohibition was most effective. San Francisco, the Anti-Saloon League declared, ranked next to New York as the wettest city in the country; but what made the San Francisco situation so painfully shocking to the drys was the ready connivance of the San Francisco government in the blatant nullification of the law. Briggs was shocked by the "astonishing statement" of a San Francisco assemblyman that everybody in the city was violating the Constitution and rejoicing in the violation. The stand of the San Francisco Board of Supervisors toward prohibition was made known one month after the beginning of wartime prohibition, when it unanimously repealed both of the ordinances against illegal saloons—ordinances which had been passed in 1913 at the behest of the saloonkeepers. The repeal was taken as a public notice that the San Francisco government would not interfere with the liquor trade in the city. In 1926 the Board of Supervisors passed a resolution opposing the use of the peace officers of their city and county "on any basis" in the enforcement of prohibition. They sent copies of the resolution to the chief of police, the federal prohibition administrator, and the state senate, "that the people of California may know our attitude." Such official recalcitrance as this had not been anticipated by the Anti-Saloon League, and the League was not prepared to deal with it.[4]

The coming of prohibition raised problems which the League was unwilling to recognize. The days of dedicated agitation were over and the "defensive and constructive" period had come; but if the League realized that the problem of administration differed from that of agitation, it gave little indication of the fact in its actions. Throughout the prohibition era it steadfastly pursued the lines of action which it had earlier followed; for in spite of the failure of prohibition itself, the League now succeeded in bringing about unprecedented victories in the area of pressure politics. It had elected a dry majority to the state legislature in 1919, and it continued to elect dry majorities thereafter;

in 1931 the state legislature was dry by a majority of three to one. The League had failed to induce a majority of voters to vote for a state-wide prohibition before the passage of the Eighteenth Amendment, but now, after a four-year struggle, it was successful in persuading a majority in the state to vote for a state prohibition enforcement law; it also reaffirmed its position in a subsequent election, and it was successful in persuading many communities which had previously voted wet to pass "little Volstead laws" which placed municipal law enforcement agencies behind the dry amendment. Except for three badly mismanaged senatorial campaigns and one gubernatorial defeat, which proved disastrous to the dry cause, and an initial defeat in the fight for a state prohibition enforcement law, the League was successful in most of its traditional fields of activity.[5]

When, in spite of the many new dry laws and the succession of dry legislatures, the Anti-Saloon League was confronted with the phenomenon of wholesale and ever-increasing violation of prohibition, it displayed none of that opportunism for which it had been so thoroughly denounced by Prohibitionists in earlier days. Until repeal of the Eighteenth Amendment, it maintained, in the face of the law's blanket nullification, a dogged insistence that the letter of the law be observed; and until the very end it continued to meet the repeated breakdown of enforcement machinery with bright predictions of future improvement. It professed to find grounds for hope in every new development. To the state superintendent of the League, writing in 1933, even repeal itself was a hopeful sign for the dry cause: "The repeal of the Eighteenth Amendment does not mean the defeat of the principle of prohibition in any final sense. It relieves the drys of the need of defending the Eighteenth Amendment and frees them for the attack on the liquor traffic which the wets must defend."[6] After thirteen years of prohibition, the League superintendent found the new development "rather exhilarating."

Leadership of the League passed into new hands at the time that the Eighteenth Amendment became law, and the new superintendent, Arthur H. Briggs, responded to his appointment with what was to prove a characteristic statement.

> Dear Fellow-worker: In August 1921, by unanimous action of the Board of Directors, I was made State Superintendent of the California Anti-Saloon League, to take the place of Dr. D. M. Gandier, deceased.
>
> This responsibility came to me altogether unsought. While far from unmindful of the confidence expressed, it would not be untrue to say that the responsibility was not altogether welcome. . . .

During these two years [1919–1920] the Superintendent of the Northern Division [Briggs] had carried the work of three men: Dr. Gandier's legislative work, his own work, and the entire work of State publicity. So that you elected to the State Superintendency a man who was tired to the bone, to whom the thought of heavier responsibility was not alluring.

But the air was already stirring with the first gusts of the coming campaign and personal considerations went like leaves before the wind.[7]

Briggs, the son-in-law of a wealthy Methodist bishop and the son of the outstanding temperance leader of the state in the gold rush era, retained control of the League until the year after repeal, when he died. During his tour of duty he successfully defended his prerogative against all other temperance leaders and temperance organizations. At the time of his death he remained the titular head of a state dry movement thoroughly defeated, rent with personal antagonisms, and rapidly disintegrating.[8]

It may be argued for Briggs's reputation that he assumed an infinitely more difficult task than either of his predecessors at the helm of the state League had faced, but it seems hardly likely that either of them would have cut quite so sorry a figure under the same circumstances. Indeed, each of the state League superintendents embodied in a striking way the dominant characteristics of the temperance movement during his tenure of office: the fire-and-brimstone righteousness of E. S. Chapman, the Progressive Christianity of D. M. Gandier, and the niggling repression and fatuous authority of A. H. Briggs. Briggs inherited the victorious conclusion of a century-old fight. When the victory proved impossible to consolidate, he and the temperance forces he led destroyed any chance of permanent gain for their cause by comporting themselves to the last as though total victory was theirs, despite all indications to the contrary.

Passage of the Eighteenth Amendment and the Volstead national enforcement law placed only the federal law enforcement agencies behind prohibition. Separate legislation was required to place the state agencies behind it, and individual local ordinances were necessary to make prohibition enforcement binding on local police departments. The state legislature therefore passed the Harris state enforcement law soon after ratifying the amendment, and the wets immediately called for a referendum on the Harris law, thereby suspending it until the 1920 election. While this action was being taken, Senator M. B. Harris, author of the law, was surprised to find that the Anti-Saloon League officers in his county had received no instructions on how to

meet this and other current challenges. "I am astonished and chagrined at their apparent indifference," Harris wrote of the state League at the close of the 1919 legislative session. "To all intents and purposes, so far as California is concerned, they have deserted the ship." It was not until two years later, after the Harris law had suffered defeat at the polls, that the League roused itself to make an all-out fight for a state enforcement law.[9]

Various branches of the liquor industry, meanwhile, attacked prohibition from many quarters. An organization called the California Wet Federation took steps, unsuccessfully, to institute referendum proceedings against the legislature's ratification of the amendment itself. Theodore Bell, acting for the Grape Protective Association, attempted, also unsuccessfully, to institute injunction proceedings enjoining the governor from notifying Washington, D.C., of California's ratification. When Rhode Island brought a suit to the Supreme Court to test the constitutionality of the amendment, the California wine growers sent an attorney East to support the case. Bell earlier had filed an injunction to restrain a United States attorney from enforcing provisions of the wartime prohibition act, on the grounds that President Wilson had declared in an address to Congress that the war was over. Bell also attempted to bring ratification of the Eighteenth Amendment to a referendum vote. All these attempts were unsuccessful, as were most of the even less hopeful local fights against the law. The Bartenders' Union in Los Angeles fought the amendment on the grounds that Los Angeles had no legal existence as an American city but only as a Mexican pueblo. One Los Angeles hotel maintained that it had an irrevocable liquor license. In Los Angeles the liquor interests were faced with a city government which was on the whole favorable to enforcement of prohibition, and a city which already had its own dry law in the Gandier ordinance. Under these circumstances any attempt to discover legal loopholes inevitably put a strain on the imaginations of lawyers. In San Francisco, the liquor interests, overwhelmingly supported by local opinion, found more promising avenues open to them. In 1921 the San Francisco Board of Supervisors went beyond its repeal of the blind-pig ordinances to reprimand two police captains for having actively enforced national prohibition while on duty. San Francisco led the campaign in the state to amend the Volstead Act to permit the manufacture and sale of wine and beer. Hopes for legal victories outside San Francisco were slim, but the wets did win one important temporary victory in the state as a whole, when the Harris

law was repudiated at the polls in the 1920 election. The Harris law, passed before the Volstead Act, was similar to it in its provisions, including the definition of alcoholic beverage as any beverage containing more than one-half of one per cent alcohol. The fact that its provisions were separate from those of the Volstead Act, however, acted to its disadvantage, the wets arguing that the Harris law would not permit the sale of beer and wine in California, even if the national law were changed to permit it. The law was defeated 465,537 to 400,475, and the creation of a state enforcement law was thereby delayed until the election of 1922.[10]

Defeat of the 1920 referendum was the more demoralizing for the drys in that it had been the result, in part at least, of a serious split in the dry forces. Two dry-sponsored candidates in the 1920 senatorial race turned the election into a bitter intramural fight and absorbed energies which might otherwise have been devoted to the Harris law campaign. An attempt by independent drys to save the law from defeat was made late in the campaign when a Citizens' State Committee for the Harris Bill was organized. The Citizens' Committee, headed by Lieutenant Governor C. C. Young, was strongly backed by Senator Harris, who by the spring of 1920 was beginning to doubt that Anti-Saloon League leadership would be sufficiently strong to win the election. Harris, however, continued throughout the campaign and to the end of the prohibition era to remain on good terms with the League.[11]

Other former League supporters proved less patient with the new League management. The most important leader of the new opposition to the League was Franklin Hichborn, who had remained as state superintendent of publicity for the League until the spring of 1919. The personal antagonism which had developed between Hichborn and Briggs flared up in the dry convention of 1920, in which the two men, supporting rival candidates for United States Senator, fought the matter out. William Kent, a former Congressman, had in his earlier career received the endorsement of the Anti-Saloon League; and his tour of duty in Congress, while not perfect according to dry standards, had won him the explicit commendation of the National Anti-Saloon League. Hichborn early became a Kent supporter, and Kent might have expected the support of the League had not A. J. Wallace, president of the state League, decided to enter the campaign, against the advice of other League officials. Once Wallace had announced his candidacy, the League was naturally obligated to support him against Kent. The meeting of dry leaders late in March, 1920, made the de-

cision to support him, by a vote of fourteen to three. Hichborn, refusing to accept the majority decision, joined forces at once with other dissident dry forces to support Kent against Wallace in the primaries.[12]

The primary election of that year, as the Reverend Dr. Briggs later commented, "was a regular little hell" for the drys. Hichborn rallied to his candidate the Prohibition party and its offshoot, the Bone Dry Federation; and he made a strong bid for the W.C.T.U., but without success. He had the advantage of being associated with the Anti-Saloon League in the minds of California drys and of having possession of the list of California drys which he had compiled as a League official. There followed a vigorous airing of dirty linen among the drys, resulting in the election of the wet candidate, Samuel Shortridge. Gandier returned from the Orient in time to throw his support to Wallace; but he remained too weak to take an active part in the campaign, and he died before the primary election was held.[13]

The drys were further weakened by the fact that prohibition was not the paramount issue it had been in 1918. In 1920 prohibition was overshadowed by the question of American adherence to the League of Nations; and Shortridge's opposition to American membership in the League won him the support of many followers of Hiram Johnson, who previously had supported dry candidates. The results of the primary were: Shortridge, 125,000; Kent, 101,000, and Wallace, 84,000. Wallace's defeat, in the judgment of Hiram Johnson, was due to the fact that he was considered merely a professional dry politician, pure and simple.[14] "During the campaign I talked to one or two men who were for Wallace," Johnson wrote Arlett.

> They told me of the Anti-Saloon League, how its ramifications extended into every church, how militant its members were and how particularly the women were enthusiastically with it. They counted all its members, said they were certain to be for Wallace, and really when they had finished talking to me, I could hardly see how any other candidate would receive an appreciable number of votes.[15]

The result demonstrated to him, however, that the voters would not follow an unpopular candidate, even if they agreed with him on a major issue.

The Anti-Saloon League had failed to place any candidate in the field for the Democratic nomination, with the result that two wet candidates, Shortridge and James D. Phelan, fought it out in the general election, the victory going to Shortridge. The election of Shortridge proved a serious matter to the dry cause, since he shared with Senator Johnson the power of appointment of federal prohibition en-

forcement officials. The men Shortridge appointed did not prove conspicuous for their devotion to the dry cause.

The end of 1920 found the dry forces in the state divided among themselves and quarreling over responsibility for the election of a wet senator and the repudiation of the Harris law. There were further mutual recriminations over the lack of any organized campaign to foster the development of local prohibitory ordinances. In 1921 a relatively new temperance organization took upon itself the task of filling this function and found itself immediately involved with the Anti-Saloon League in a jurisdictional fight which further divided the dry forces. Organized to combat vice in San Francisco, the Law Enforcement League had from the first received support from Hichborn and Gandier, on the grounds that the antivice and antiliquor crusades were complementary. According to Hichborn, however, Briggs had opposed the organization from the first as a rival, and a personal feud had developed, mainly on this score, between Briggs and E. E. Grant, the executive secretary of the Law Enforcement League. The Law Enforcement League had received early and wholehearted recognition from the strongest elements of the temperance movement, its largely honorary board of direction including the names of Lieutenant Governor C. C. Young and Senator Harris and Assemblyman T. M. Wright, the two leaders of the dry forces in the Legislature, as well as the president of the W.C.T.U. of northern California, Sara Dorr. By 1921 the chief activity of the Law Enforcement League was its campaign to have localities adopt a model prohibitory ordinance drawn up by Grant, and by the end of the year the Grant ordinance had been adopted by fifty-five counties and municipalities. By 1921, however, the Anti-Saloon League had developed an ordinance of its own which it urged municipalities and counties to adopt in place of the Grant ordinance. The 1921 legislature had passed a new state enforcement law called the Wright law, which simply incorporated the terms of the Volstead Act by reference, and a referendum of the Wright law had immediately been called by the wets. The Anti-Saloon League based its own ordinance on the Wright law, and it argued that its Wright, or "Little Volstead," ordinance was superior to the Grant ordinance because, in addition to providing for local enforcement, it would serve to publicize the state Wright law and aid in the coming referendum campaign.[16]

The struggle between the rival leagues was waged in Berkeley through the first half of 1921, when the representative of the Anti-

Saloon League attempted to have the Berkeley City Council vote against the Grant ordinance, then up for consideration, in favor of the Wright ordinance. The Law Enforcement League charged that the Anti-Saloon League was trying to destroy it, while the Anti-Saloon League maintained that it was acting selflessly in behalf of the dry movement. When the Berkeley Council passed the Grant ordinance, despite Anti-Saloon League opposition, the act drew from the representative of that league the statement that the ordinance would never have any effect. The area around the university was already dry, he said; there was a prohibition clause in the Berkeley charter, and there was a further supplementary ordinance which had been subsequently passed. Where the Wright ordinance would have publicized the state Wright law, the representative asserted, the only purpose served by the Grant ordinance was to allow Grant to "perform the feat of patting himself on the back saying, 'See what a great man I am, see what a little tin God my ordinance is.' " His own opposition, he said, had been merely a "sham fight" to publicize the Wright law.[17]

The quarrel over the Berkeley ordinance so embittered Grant that, in the fall of 1921, he attempted to dislodge the Anti-Saloon League from leadership of the prohibition movement by proposing a federation of the prohibition organizations to perform the function which the Anti-Saloon League presumably was already performing. After sounding out various elements of the temperance movement, Grant submitted his proposal to Briggs, advocating that "the four major organizations"—the Anti-Saloon League, the State Law Enforcement League, the W.C.T.U., and the Prohibition party—be represented by six members each on a committee which would have charge of the coming political campaign. The project, receiving little support from any other group, even the Prohibition party, was dropped.[18] "I am afraid your activities are doing a great deal of harm," Senator Harris wrote Grant at the time. "I regret this very much as I realize that you have done a great deal of good and are still able to do a great deal of good."[19]

Although Grant's organization did not again try to unseat the Anti-Saloon League, its attack on the League continued unabated, enthusiastically assisted by Hichborn. "It looks to me as though the day of the little man is drawing to its close," Hichborn wrote Grant about Briggs in 1925. "I am getting that gentleman pretty well tangled up."[20] Briggs nevertheless remained superintendent until his death, by which time the State Law Enforcement League had long since ceased to function. Meanwhile another new temperance organization, the Flying Squadron,

had entered the field and had come under the ban of the Anti-Saloon League. Briggs found the Squadron's work "confusing and divisive," primarily because the organization was working independently of the League, and he recommended that it leave the field altogether for the good of prohibition. All temperance organizations were obligated to "coöperate" with the Anti-Saloon League, he said, because it represented the organized churches and was "the agency which is held responsible for the results." Briggs remained vigilant against possible rivals in the temperance camp; and the very height of the fight against repeal in 1932 found the state superintendent again embroiled with another new temperance organization, the Allied Drys, similar to the Flying Squadron of a decade earlier.[21] The Prohibition party remained opposed to the League as always, and a cordial relationship developed on this basis between the party and the Law Enforcement League.[22]

In 1921 the Law Enforcement League temporarily widened the circle of its enemies: in opposition to both the Anti-Saloon League and the dry leaders in the legislature, it interfered in the campaign for a state law enforcement law.[23] After the defeat of the Harris law referendum in 1920, Senator Harris announced that he would reintroduce his measure in the 1921 legislature. He soon discovered that many senators and assemblymen were unwilling to support another "Harris bill," because they felt that any bill of that name would be discredited by its association with the antagonisms and prejudices of the 1920 referendum campaign. When Harris found that a number of legislators would vote for such a measure if it were presented under another name, he requested Assemblyman T. M. Wright to introduce the bill in the assembly under his own name.[24] The Wright bill met early opposition from the drys on the grounds that such an incorporation of the provisions of federal prohibition legislation into state law by reference, as was contemplated in the Wright law, was an unconstitutional delegation of authority. Leaders of the Anti-Saloon League of southern California so advised the president of the W.C.T.U. of southern California, who wrote to the W.C.T.U. legislative representative in Sacramento, telling the lobbyist of her fear that "an enemy is lurking somewhere" and advising her to "have interviews with *friends* and write me *at once.*"[25] These difficulties were straightened out when Briggs agreed with others that Senator Harris should have absolute authority to choose the form for the Wright bill, and when an advisory legal committee decided that the bill was constitutional. Grant suggested a number of changes in the bill, which were not accepted by Harris.

Grant was mistakenly convinced that Briggs was behind the rejection of his ideas, and he was accordingly cool to the new bill. The bill was further hurt when Governor Stephens—a man with a thoroughly dry record, who had received wholehearted support from the Anti-Saloon League, and who had strongly supported the Harris bill—failed to support the Wright bill and, according to Briggs, did all he could to hinder it.[26]

In the 1921 legislature, the senate, which had been doubtful in 1919, had a safe dry majority; but the assembly, which had enjoyed a large dry majority, was in 1921 almost evenly split. The bill nevertheless passed the assembly, with reservations which were removed in the senate; and the assembly, when it received the bill again, passed it as originally presented. The passage of the measure justified the tactics of Senator Harris in drawing up a bill which incorporated federal legislation by reference. Such a bill removed the special difficulties of defending a separate complicated piece of legislation. It enabled the prohibition advocates the better to campaign on the basis of upholding the Constitution rather than on the direct question of supporting prohibition.[27] The strategy behind the Wright bill again justified itself in November, 1922, when the measure was upheld in the referendum election, 445,076 to 411,133. The dry campaign for the law was finally supported by the Law Enforcement League as well as by the Anti-Saloon League and the W.C.T.U., but only after an attempt by Grant to place his own initiative measure on the ballot "as a corollary to the Wright bill" had been abandoned at the demand of Senator Wright and others.[28]

By the time of the 1922 campaign, the California Anti-Saloon League had become aware of the need for a thoroughly organized campaign. Preparations for it were made while the bill was still being debated in the legislature, and the actual work of organization began eight months before the election. The state was divided into a series of districts, each directed by a salaried district organizer. In each of the larger counties conventions were held, carefully prepared in an effort to secure the attendance of at least five delegates from every precinct in the county. It was the most thoroughgoing campaign carried on by the League since the election campaign of 1918.[29]

The wets adopted for their campaign the earlier contention of the southern division of the League and the W.C.T.U. that the Wright law was an unconstitutional delegation of authority. They argued also that enforcement would be enormously expensive and that prohibition as

a national law ought to be nationally enforced; but the chief wet argument was the traditional one of the appeal for the protection of the wine industry. "The Wright Act should be voted down," Theodore Bell declared, "as a protest against the drastic provisions of the Volstead Act." The people of California, the wets argued, should vote against any interpretation of the Eighteenth Amendment which did not permit the sale of wine and beer.[30]

The drive to change the Volstead Act to permit the sale of wine and beer became the chief legislative effort of the wets in California once the Eighteenth Amendment was in effect. In the 1921 legislature a joint resolution was pressed in both houses by representatives from San Francisco to memorialize Congress to fix the permissive alcoholic content of beer at 4.5 per cent and wine at 15 per cent. The resolution passed the assembly, 43 to 34, the first proliquor measure, according to Hichborn, to receive a majority vote in either house of the legislature in ten years. It failed to pass the senate. A similar resolution was introduced in the assembly in 1923 on two occasions and was voted down. The weakness of these resolutions constitutionally was indicated when Assemblyman Wright on one occasion offered an amendment stipulating that no wine or beer should be permitted which would produce intoxication. His amendment was voted down by the proponents of the resolution.[31]

In the referendum campaign of 1922 the argument based on the harsh nature of the Volstead Act was adopted by the chambers of commerce of San Francisco, San Diego, Los Angeles, and Sacramento. The drys, of course, maintained that no such issue was involved. The issue, Chester Rowell declared, "is not wet or dry, but law or lawlessness." The "Eighteenth Amendment and the Volstead Act stand as a stone wall." The question of permission of wine and beer, he said, was no real issue at all.[32] Whether or not it was a real issue, it was the best legal issue the wets felt they had, both as an argument against the Wright law and as a possible objective. In 1923 a second petition to invoke the referendum on the Wright law was circulated. On that occasion it failed to receive a sufficient number of signatures, and the wets thereupon apparently decided to concentrate on the campaign to elect to Congress representatives pledged to alter the Volstead Act.[33]

In 1926 the wets made one more effort to repeal the Wright law and were defeated, 565,875 to 502,258. In attempting to revoke a law which had been in effect for four years they lost the support of important elements which had originally opposed the Wright law. The

San Francisco *Chronicle,* the San Francisco *News,* the Sacramento *Bee,* and the Fresno *Bee* all refused to support the fight on the grounds, which the League had earlier maintained, that the fight was not on the merits of prohibition but on the merits of law enforcement, and that a victory would encourage general lawlessness. After the defeat of 1926 the wets gave up the direct attack on the Wright law until the repeal of the Eighteenth Amendment had made repeal of the state law a matter of course. One reason the wets decided not to resume the fight may have been that the Wright law proved of little force in practice. In the wet stronghold of San Francisco, at least, it was the federal rather than the state agents who made the headlines with their enforcement activities.[34]

The wets had better success in the 1926 senatorial campaign. Johnson and Shortridge retained their positions throughout the prohibition era, the one indifferent to the prohibition issue and the other definitely against prohibition. Although Johnson had on occasion coöperated with the Anti-Saloon League under Gandier, he was actively antagonistic to its subsequent leadership.[35] His position in California was so strong that the dry forces made no serious effort to unseat him. Shortridge was in a different position. In 1926, as in 1920, he owed his election to the division in the dry camp. "The campaign for the United States Senatorship was embarrassed by conditions which we could not control," Briggs reported. "Two dependable drys each tenacious of his candidacy stubbornly fought one another while the wet incumbent serenely stepped into the nomination."[36]

Far more serious for the drys than the personal antagonisms that split their ranks was the fact that many dry organizations pledged themselves to work for the election of Shortridge on the basis of his stand on other political issues, notably foreign policy. An argument in favor of such defections was offered by Chester Rowell.

> The twenty-first or twenty-second century will not be much affected by the question of whether it takes us five years or twenty to make prohibition a success, and the rest of the world either now or then will not be affected by it at all. The whole world and all the centuries will be very much affected by what we do in the next few years in our foreign relations.[37]

Prohibition could not be constantly sustained as the one crying issue of every campaign, and when other important issues absorbed the national attention, the dry cause was bound to suffer.

The added patronage which prohibition gave to California's senators was hardly commensurate with the ambitious scope of the Eighteenth

Amendment. In the early period of prohibition, the federal government allotted thirty-six agents to California to perform the work of enforcement. Of these, ten were required to devote their efforts entirely to clerical and office work. The salary for these positions was low. Although the enforcement system was subsequently overhauled, the number of agents allotted to California never varied greatly, and the result of the system was a series of disappointments to the California drys.[38]

The career of the first federal prohibition administrator set the pattern which was to be repeated with slight variations throughout the dry era. The first agents were appointed on the recommendation of Ray Benjamin,[39] a politician who, according to Briggs, was "about as dry as the Pacific Ocean."[40] Benjamin declared that he recommended the men he did because "they were the only two men he knew . . . who would enforce the law absolutely and would refuse to listen to any personal or political influence."[41] The chief administrator in northern California, John Exnicios, threatened on occasion with lynching, found that the task of enforcing the law was impossible with the resources at his command, and he said he would ask to be transferred unless he was given enough agents to clean house. Exnicios was soon forced to resign, and he took the occasion to remark that actually he did not approve of the prohibition law, anyway.[42]

In 1922 the department was reorganized, and the *California Liberator* found that "with the appointment of Samuel F. Rutter as Prohibition Director for California the whole situation was transformed."[43] A brisk flurry of prosecutions followed. In the view of the Anti-Saloon League, Rutter was without question the "greatest force in the State in behalf of the vindication of the national law."[44] Rutter also soon proved unequal to the task. His operatives were found guilty of various indiscretions, and he felt obliged to demand publicy that his agents cease their wanton beating of prisoners and their bitter quarreling among themselves in public. It was apparent that most of the prohibition agents were not proving to be dedicated public servants, and it became further apparent that an agent's efficient prosecution of the law did not necessarily recommend him to the federal prohibition administration. One of Rutter's assistants, whom the League considered "the most effective enforcement officer California ever had," was dismissed, by orders from Washington, on charges which had already been examined and dismissed by the federal grand jury in Los Angeles.[45] The United States Attorney in San Francisco at the time prohibition went into effect,

Mrs. Annette Adams, became an early favorite with the League for her earnest attempts at prosecution of the law. She was removed to another post because, according to dry charges, she had displeased San Francisco politicians by her enforcement activities, and she was replaced, the League asserted, by a San Francisco "tenderloin politician."[46]

In 1925 the federal enforcement system was overhauled nationally. General Lincoln C. Andrews, the new prohibition director, divided the nation into twenty-two districts, and under the system California fell into separate northern and southern divisions. The Anti-Saloon League's choice for prohibition administrator for northern California was passed over, but the League declared itself satisfied with the appointment of Colonel Ned Green, believing, on the basis of his army record, that there was every reason to expect that he would make good.[47] Green went the way of his predecessors after a year in office. The attempt to enforce the law with one agent to every 100,000 inhabitants, he declared, was a "joke." His enforcement difficulties ended in 1926 when he was indicted for embezzling liquor for his own consumption. He was acquitted, then reinstated and allowed to resign. The amount of liquor he was charged with embezzling was small, and in the opinion of some drys the trial was a fraud aimed at discrediting the prohibition law.[48] The Anti-Saloon League, which had supported Green's efforts warmly, was offended, however, by his testimony that he did drink occasionally because San Francisco was a wet community, and that he also served liquor to his guests because he was a gentleman and "not a prude."[49] Following his acquittal, Green observed: "In my experience as prohibition administrator I found that a man in such a place is assaulted from every angle. The radical drys cannot be satisfied, the violators of the law attempt bribery, employees in the service are not to be trusted, and summed up, one encounters antagonism from every side."[50]

Green avoided mention of one of the bitterest sources of antagonism he had recently faced, the mutual hostility and suspicion of the various government agencies involved in prohibition enforcement. Green's trial and acquittal occurred during a sharp altercation between his office and the United States Attorney's office in San Francisco, and between himself and the United States Attorney for San Francisco, George T. Hatfield. Green, according to Hatfield, had recently on several occasions made "statements before the assembled Prohibition Agents . . . which seriously reflect on the integrity and honesty of this office."[51]

Hatfield, himself, was not slow to make countercharges. Concerning the many lurid rumors about Green's drinking habits, the character of his companions, and his connections with bootleggers, Hatfield was able to recount many details, although he admitted that he was unable to collect any direct evidence. As to the character of the prohibition agents under Green, he was able to make more direct charges: "I have found an utter lack of loyalty on the part of many Prohibition Agents and personnel of the Prohibition office."[52] Evidence of corruption and disloyalty, he added, was "not the whisperings merely of agents who are no longer with the force, but agents now in the employ of the Administrator." The mutual recriminations were aired briskly in the San Francisco press.[53]

Similar differences arose among the other agencies involved: the local and state police, the customs office, the Bureau of Internal Revenue, the Federal Bureau of Investigation, and the Coast Guard Service. Conflicts arose within the separate agencies as well. It was charged that prohibition enforcement was hampered by jealousy between the San Francisco and the Los Angeles customs offices. Charges were lodged against members of the Bureau of Internal Revenue and the Coast Guard of regularly accepting money from the bootleggers in exchange for immunity. These agencies on their part complained of the lack of cooperation of other government agencies. The head of the San Francisco Division of the Bureau of Internal Revenue complained that the local customs agent resented the competition of the Bureau and had withheld evidence from it. The attacks on the U. S. Attorney's office drove Hatfield to request an impartial investigation by some outside agency. The result was an investigation which received considerable publicity in the newspapers and howls of protest from Hatfield, whereupon the investigator was recalled.[54] Hatfield expressed the hope that "a real investigation may be made by someone who is not such an egregious and hopeless ass . . . someone who will appreciate the exact thing that we are trying to accomplish and someone who will not be trying to play the politics of the Anti-Saloon League or Dr. Briggs."[55]

In the year following Green's resignation his successor instituted the most drastic shake-up in the history of the California prohibition administration, calling for the resignations of all his assistant administrators and chief enforcement agents.[56] No marked improvement followed this house cleaning. "Federal enforcement in California has been scandalously bad," the League declared two years later. "Federal appointments have done politics with the law and enforcement positions

have been held by those who themselves violated the law they were set out to enforce." As usual, the League saw light ahead, however. "Under the Hoover Administration," it declared, ". . . these evils are being cured and effective men are finding their way into enforcement."[57]

Throughout this dismal succession of failures of enforcement, the Anti-Saloon League refrained from demanding radical changes in enforcement methods. The League had officially committed itself to the belief that enforcement of prohibition would not require the use of enormously expensive or violently undemocratic methods, and the League's following was made up of American taxpayers who would have been loath to contribute heavily and constantly to support a system which they had been told would be not only self-supporting but even profitable in terms of savings not spent on liquor. Despite the obvious shortcomings of the federal enforcement system, therefore, the League contented itself with its minor criticisms, thoughtfully considered, and its optimistic views of future improvement. More radical drys, feeling no such restraints, were frank to condemn the system as wholly inadequate to the purpose. Upton Sinclair, a lifelong dry and perennial Socialist candidate for office in California, wrote a novel, *The Wet Parade,* to argue the point that it was not prohibition but "five per cent enforcement" that had failed.

> If some bold person would suggest five and one-half per cent, or maybe five and three-quarters, the enforcement officials would declare, no, that was too much, they really wouldn't know how to spend that much money. They would get their five per cent, and would spend it raiding "joints" run by this little fellow and that, and in spectacular cafe raids which made a fuss in the newspapers. The "church element" would read such stories every morning, and their lust for vengeance upon John Barleycorn would be satisfied. Meanwhile the big fellows would proceed with their wholesale violations, and it would be impossible for any government official to find out anything about it.
>
> For five years and a half "Cautious Cal" sat cautiously in his presidential seat, and applied this system of five per cent enforcement, and saw the traffic in bootleg liquor grow until it overshadowed the government itself, and in fact became the government in all the great cities.[58]

Sinclair's charge that enforcement efforts were being concentrated on the "little fellow" was amply borne out by the headlines, which told day after day of "hip flask raids" and "café raids," and much less frequently of raids on distilleries and smuggling ships. Prohibition agents released publicity concerning these small raids as though they were major victories for enforcement. An announcement was made beforehand, for instance, that agents would be on hand at the Stanford–

University of California football game to arrest persons carrying hip flasks, and after the game a further announcement was made that the mission had been carried out, and that five violators had been arrested in the course of the game. By contrast, such activities as the seizure of the vineyard properties of a wealthy wine producer and the indictment of a large American-Canadian smuggling ring were comparatively rare.[59] The Oakland *Observer* maintained that of more than twenty federal enforcement agents in northern California, only two were assigned to hunt down manufacturers of liquor.[60]

The fact that prohibition enforcement hardly affected the major offenders was of course obvious to the directors of enforcement; and it was commonplace for enforcement officers, on taking over positions of responsibility, to announce that their policy would be, as Hatfield said, "to place the responsibilty of local enforcement on local authorities," so that the administrators of prohibition could concentrate "upon investigation and the making of cases against the major offenders operating the sources of supply."[61] Inevitably, however, the absurdly simple café raids with their attendant favorable newspaper publicity contrasted themselves favorably, in the minds of enforcement agents, with the perilous, thankless, and all but impossible task of policing smugglers and major distillers; and the agents soon found themselves busily working the easier street. Hatfield found it "most disheartening to use all of our efforts on the smaller cases when we know that these big landings are taking place and that these big conspiracies do exist," but a more honest and ambitious course seemed to him virtually impossible.

> Frankly, I feel extremely discouraged about the situation here. At the present time I do not know to whom to turn to get effective action on the information which from time to time I obtain. Mr. Oftendahl [of the Bureau of Internal Revenue] refuses to do any work of this character and wants to get rid of the cases that he has made because, he says, General Andrews does not want the Special Intelligence Unit working on Prohibition matters. Creighton who is in charge of the special agents of the Customs tells me that he has not the sufficient personnel to even make a dent in the situation and Green, of course, is occupied with the land end of Prohibition. Furthermore, due to the stories of corruption on the part of some of the Prohibition Agents and some of the Coast Guards, I question the integrity of the agents of the Prohibition Depart., and of the members of the Coast Guard.[62]

Hatfield's general comments were evoked by a recent happening in the field of enforcement which had received much embarrassing publicity. A shipment of four thousand cases of liquor had been reported to have

been landed at Half Moon Bay, by heavily armed smugglers, amid much fanfare and celebration on the night of January 30, 1926, at a moment when eighteen prohibition agents were massing an attack on cafés several hundred miles away in Weed. It was alleged that $3,000 had been paid by the smugglers for the information that the Weed raid was scheduled and that the road from Half Moon Bay to San Francisco would therefore be open. Meanwhile the raid on Weed had resulted in law suits charging the raiders with malicious mischief. It proved remarkably difficult for the U. S. Attorney's office to determine whether or not the alleged landing had ever taken place, and naturally no prosecutions resulted. Hatfield maintained that there was no agency of the government equipped to deal with such large-scale smuggling operations.[63]

Meanwhile liquor was imported from both Mexico and Canada in ships carrying from 40,000 to 70,000 cases, according to the testimony of a former rumrunner, the cargoes being brought to shore by smaller boats carrying from 200 to 2,000 cases. On shore the cases were loaded on cars, he said, which were driven by women at night to the final destination. In the early years of prohibition, he said, liquor had been smuggled directly in through the Golden Gate in coöperation with various captains in the Coast Guard. When that practice was stopped, the scene of operations shifted to inlets to the south of San Francisco, and later, increasingly, to southern California. Much liquor destined for California, he said, was landed in Washington, where the many islands and inlets of Puget Sound were favorable to such operations. Brought ashore by fast speedboats, the liquor was loaded in among lumber shipments and sent to California by rail. A list of twenty-nine vessels suspected of being engaged in smuggling liquor on the Pacific Coast was drawn up by the Coast Guard in 1928. Enforcement agents meanwhile continued to concentrate on surprise raids of apartment houses and cafés.[64]

These frequent, picayune raids were a constant source of irritation to those out of sympathy with prohibition, and they were made the more irritating by the highhanded manner in which they were carried out. U. S. Attorney Hatfield found the prohibition agents to be inefficient, ignorant of the law of searches and seizures, and generally quite "nosey" about matters which did not concern them.[65] The drys, who emphasized that they were performing a patriotic duty in upholding the United States Constitution, felt at the same time that in some respects the Constitution was poorly suited to their purposes. Specifically, they

felt that the Fourth and Fifth Amendments should be circumvented wherever possible. State and local officials, they argued, were not bound by these restrictions. "The Fourth and Fifth Amendments to the Constitution of the United States, providing security to home and person are a limitation on the powers of the Federal government," the Anti-Saloon League announced. The limitation was a necessary one for federal officers, it felt, because local public opinion "does not have the restraining influence on them that it does on local officers."[66] So far as local officers were concerned, outraged public opinion was a sufficient guarantee of the sanctity of the home, anywhere in California. Accordingly, in Los Angeles and elsewhere police were ordered to enter homes without search warrants where violation of prohibition was suspected, and to arrest the occupants on the basis of any infraction of the law. The Los Angeles police department assured the citizens that the practice was confined to places where there was good evidence of bootlegging operations, and that the private drinker was never the object of such searches. It added, however, that the private drinker would certainly be arrested if caught in the act in the course of such searches.[67] Attempts to pass legislation to prohibit entry of private homes without search warrants were characterized by the Anti-Saloon League as "the most dangerous attempt to destroy by indirection the Wright prohibition enforcement law."[68]

Equally pernicious, according to the League, was the campaign to change the law requiring that industrial alcohol contain poison. Not only did the League consider the law essential to its cause, but it viewed a run of poisonings as a healthy sign. "People were shocked by the holiday developments in connection with poison liquors," the *California Liberator* remarked, "but it was an inevitable stage in the drying-up process. The fact that it has come is the best proof that national prohibition is growing more effective." The League, stung by the widespread and growing contempt for the prohibition law and by the lack of means for effective enforcement, seemed increasingly willing to support repressive measures which promised advantage, however small, to the dry cause.[69]

Chapter X

NULLIFICATION, 1919–1930

The main objective of the Eighteenth Amendment was to dry up the American cities. The rural areas of the nation were overwhelmingly dry on the eve of World War I, and although California had lagged behind the nation as a whole in its dry campaign, most of its countryside had gone dry by 1917. In California, as elsewhere, the success of prohibition was therefore to be measured mainly in terms of its effect on the cities, which it had previously failed to penetrate on the basis of local option. By the same token, the amendment was an attempt to curb the drinking habits of America's foreign-born and first-generation citizens, who made up the majority of the urban population. "It is not too much to say," Chester Rowell wrote, "that before national prohibition, every part of America in which the population was predominantly American, of American ancestry, was dry. . . . Every third generation American community in America had voted prohibition on itself." It had been argued also by drys that prohibition in the rural areas would be protected if liquor were not available to farm hands and farmers' sons and daughters, who could now drive to the city by automobile. It remained true that the large purpose of prohibition was to keep the city people sober.[1]

Judged by its effect on California's cities, prohibition was a prodigious failure, and the Anti-Saloon League made no direct attempt to deny the fact. Its most advanced line of argument maintained no more than that a smaller amount of alcoholic beverages was being consumed than formerly, and that in the successive referendums on the state enforcement laws a bare majority of the voters had indicated a preference for compliance with the Eighteenth Amendment as long as it was part of the Constitution.

The effect of prohibition on the drinking habits of the citizens of the state was a subject which was little discussed by the Anti-Saloon League after the first few years of the experiment; but in the early period at least, drys did contend that prohibition had sharply reduced the amount of drinking. "Making all allowances for smuggling, home brew and moonshine," Rowell declared in 1922, "the most conservative estimate is that three-fourths of the drinking has been stopped, and other figures range as high as nine-tenths."[2] The circumstances of drinking under prohibition made any close estimate of the amount con-

sumed out of the question; but in the first year of prohibition the drys did have one good argument on their side in the precipitous decline in arrests for drunkenness. Such arrests declined in Los Angeles from 18,629 in 1917 to 2,621 in 1920, and even more remarkably, they declined in San Francisco from 15,105 in 1917 to 1,814 in 1920. Unfortunately for the dry argument, the trend soon reversed itself again. In 1922 there were 7,261 arrests for drunkenness in San Francisco, and in 1924 there were 8,069. The decline in extreme drunkenness apparently indicated little more than that a lapse of time was required for conversion to production and distribution techniques suitable to the prohibition era. Once smuggling, moonshining, and bootlegging methods were thoroughly tried out, drunkenness increased. Statistics on deaths from alcoholism also seemed to mark a trend toward increased heavy drinking once the prohibition era was well under way. In 1921 there were 69 deaths from alcoholism in the state; in 1923 there were 125, and in 1926 there were 418. These statistics, however, probably reflect the quality of the liquor consumed rather than the quantity.[3]

The effect of prohibition on extreme drunkenness might be charted in a very general way, but its effect on the volume of alcohol that was consumed in moderate amounts would be much more difficult to trace. Rowell contended that the law was fairly effective in this field, too. "You look around among your own friends and see for yourself," he told a San Francisco audience. "You see among your friends less drunkenness. It isn't done. The thing is pretty well enforced. You can go to the Palace Hotel, where I eat lunch every day, and everybody is one hundred per cent sober. It used to be that everybody had a drink or two or three or four and became pretty well exhilarated."[4] The force of this argument applied mainly to the noontime drinking habits of those wealthy and socially prominent San Franciscans who lunched at the Palace Hotel. The Palace Hotel bar, after serving as a soft-drink dispensary for a time, had officially closed in 1921, with toasts in ginger ale to former convivialities, and had been converted into an annex to the hotel grill. A number of famous and expensive restaurants, including the Poodle Dog, had closed completely early in the prohibition era in the face of the dry rule. However, if the upper classes in San Francisco dropped some of their drinking habits, they also acquired some new ones. It was the drinking habits and wet activities of the social set which infuriated the Anti-Saloon League more than almost any other development of prohibition.[5]

There was testimony that midday drinking had declined on the other

end of the social scale also. Fewer drunkards were observed by social workers in the streets of San Francisco slum areas during the day. As to the effect of prohibition on nighttime drinking habits, there were conflicting reports. Some observers noted an increase in sobriety, and others simply a change in the character of the drinking. The chief supervisor of dance halls in San Francisco declared that prohibition had not altered the amount of intoxication observable, but that it was having its effect now on "a better class than formerly and a much younger class."[6]

The drys might argue that there had been an absolute decline in the amount of drinking, but they could hardly make a reasonable defense for prohibition on this basis; and the Anti-Saloon League, after the first years of the era, made very little attempt to do so. The League did not even contend that prohibition was proving effective in the rural areas. Its proudest boast in this regard was merely that in "a number of the counties enforcement has been so effective that bootlegging is now largely confined to 'hip-pocket' methods and bootleggers are hiding out in the fields and the brush."[7] Rather than attempt to justify prohibition by its practical results, the League preferred to concentrate its attention on its legislative victories, on hopeful signs of future improvement, and on thundering denunciations of violators of the Constitution. It did not attempt to deny that one could buy liquor in innumerable restaurants and speak-easies in San Francisco. In Los Angeles it pointed with pride to the dry majority registered for the Wright law in 1926, but did not deny the charge that "almost any friend or acquaintance who has been in Los Angeles a week or more will be able to give you the name and telephone number of a reliable bootlegger."[8] The League was aware from the first that prohibition was not working in California. State Superintendent Briggs's thirteen years of experience with abuse of the prohibition law moved him to write cheerfully of repeal: "It relieves the drys of the need of defending the Eighteenth Amendment." Prohibition had proved a terrible burden to the drys.[9]

While federal agents busied themselves making arrests throughout the state, the degree of actual enforcement was determined mainly by local officers and local opinion. The key officer was the sheriff, the arresting officer of the county, whose authority extended to the incorporated as well as the unincorporated districts. Although the police departments and the sheriff's office held jointly the responsibility for arrests in the cities, the blanket authority of the sheriff in city and

county made him the strategic officer, and the officer whose selection the Anti-Saloon League considered of first importance. The district attorney as chief prosecuting officer was also considered a key man by the League. The success of prohibition enforcement varied from county to county to a large extent according as the League was or was not successful in filling these two offices with conscientious drys.[10]

In Los Angeles a protégé of the Anti-Saloon League, Buron Fitts, became district attorney during prohibition; in San Francisco the district attorney was Matthew Brady, who served at the same time as vice-president of the California branch of the Association Against the Prohibition Amendment. The sheriff in San Francisco was the wet political boss, Tom Finn.[11] When a bootlegger named Jim Griffen was sentenced to a term in the Alameda County jail for violating the prohibition enforcement law, District Attorney Brady led a party to the jail on Thanksgiving to serenade Griffen with a few rounds of "Sweet Adeline." Brady told the jailer that Griffen was an old friend whose Thanksgiving he had come to lighten. "The District Attorney of San Francisco ventured to degrade his high office in homage to a purveyor of commercialized vice," the *California Liberator* declared, "because he confidently believed the public opinion of the city was inert, supine, and would not force action."[12] The *Liberator* noted also that in the first three and a half years the Wright law was in force, Brady had "discovered only a few trifling violations of it" in San Francisco.[13]

Federal agents, by contrast, were so active in conducting their many small raids in the city that the federal courts found it impossible to handle all the cases brought to them. There were only three federal judges, and they were able to try an average of only ten cases a day in which the defendants pleaded guilty, or only one case in which a jury trial was demanded. In 1924 there were more than five thousand cases awaiting trial, and fifty cases were being added each day by the raiding of small bootleg establishments alone. The situation made impracticable the giving of a heavy sentence to bootleggers who pleaded guilty. When in 1924 the fine for first offenders was raised to six hundred dollars, hundreds of offenders threatened to go to trial and delay the courts' schedule for days.[14] The threat was the more compelling for the fact that San Francisco juries were notoriously easy on offenders. "The United States District Attorney's office is willing to enforce the law against all offenders great and small," U. S. Attorney Hatfield declared, "but its offices cannot greatly avail without the backing of the public. Officers may make arrests, attorneys may prose-

cute, and judges may try offenders, but if juries do not convict, the work of all these public servants comes to naught."[15] One bootlegger boasted that he was indicted without conviction eighty times, and the nadir of San Francisco prohibition juries was reached in 1928 when one jury was itself put on trial to show cause why the members should not be suspended from further jury duty after drinking up the evidence in a case on trial.[16]

The difficulty of enforcement was greatly increased by the large number of persons who were legally licensed to dispense alcohol. In 1917 a total of 1,939 retail liquor licenses had been issued in San Francisco; during prohibition in the area of northern California and Nevada 12,000 persons held permits to use alcohol. They included 2,500 druggists, 7,000 physicians, 12 breweries, 30 vinegar manufacturers, and 100 transportation companies. The San Francisco *Chronicle* considered a news item worth a banner headline which reported the decision of the United States Supreme Court that doctors could not be limited by law in the amount of alcoholic beverage they might prescribe to a patient. The problem of keeping under surveillance the great number of these permit holders who operated in San Francisco was an impossible task, not to speak of the vast army of bootleggers and home distillers who were not permit holders.[17]

One important bootlegging case did come to trial in San Francisco and resulted in a conviction. Peter McDonough, a bail bond broker, political boss, and reputed "czar of the Barbary Coast," who operated a saloon next to the San Francisco Hall of Justice, was brought to trial in 1923 and sentenced to fifteen months in jail. The only special consideration given him was that he was lodged in the Alameda County jail, so that he would not be placed in the hands of his former partner and erstwhile political rival, Sheriff Tom Finn of San Francisco. The attempt to set aside McDonough's sentence was taken to the Supreme Court of the United States, and when that proved unsuccessful, a plea for a presidential pardon was submitted, signed by Mayor Rolph, two congressmen, four police judges, fourteen state assemblymen, three state senators, and District Attorney Brady. McDonough was nevertheless forced to serve eight months of his sentence before receiving a parole.[18]

The immediate effect of prohibition in San Francisco apparently was to limit the amount of alcoholic beverages available, but soon the supply was once again flowing freely. By 1926 one could buy liquor in unlimited quantities in the city in open bars and cafés, particularly in the

cheaper sections of town. Anyone willing to pay the bootleggers' price could buy imported liquor of all descriptions. Prices for the expensive liquors fluctuated widely, depending on the activity of the rumrunners and of the law enforcement agencies. A wide variety of liquors was obtainable, however, at low prices: gin, made from high-grade alcohol diverted into illegal channels; "jackass brandy," distilled from fruit juices, sugar, and wheat; and grappa, distilled from domestic wines. The gin sold for $2.50 a fifth, the brandy and grappa for about $6.00, and all kinds of wine for $3.50 a gallon. Gin was made, bottled, and labeled in the city, and delivery of a quart or more was made on orders by telephone. Much of the "jackass brandy" was manufactured in former industrial plants, and some was made in nearby counties. The grappa was manufactured in the vicinity of San Francisco's North Beach area. The luxury liquors were provided by San Francisco's rum row. According to the New York *Times* report,

> Raw Scotch, selling for $60 a case, delivered anywhere in the city is imported from Canada. Much of this liquor is stored locally and 'cut' with water before sale.
>
> Real Scotch, Bourbon and Cognac find their way in through Rum Row from Havana and the Orient. The genuine article ranges in price from $90 to $125 a case. . . .
>
> It is contended that prohibition has done nothing but force an inferior grade of liquor on the market and has not curtailed the quantity to any appreciable extent. So strong is the feeling in favor of some legislation of the sale of liquor that it may be said that this city will never be made absolutely dry regardless of all enforcement activity.[19]

A special investigation of San Francisco by the Department of Justice in 1926 resulted in findings that "there are many open flagrant violations . . . in and about San Francisco," and that "police protection is being given to the bootleggers and rum-runners." The special agents "reported making buys of liquor at numerous restaurants and apartment houses." One speak-easy operator reported to an agent that he had been forced to quit business because of the frequent demands for money by the police, but numerous others managed to continue in business.[20]

The *California Liberator* conceded from the first that San Francisco was "hilariously wet," but it was wont to point with pride to Los Angeles as a dry-minded city. In 1926, it pointed out, Los Angeles gave a majority of 214,460 to 146,290 for the Wright law, and San Francisco voted 84,840 to 29,618 against it. Los Angeles also had law enforcement agencies which busied themselves untiringly, arresting prohibition violators, and the city had a local bone-dry ordinance on which to base local enforcement. The Anti-Saloon League could not claim, however,

that the bone-dry ordinance represented the majority will. In June, 1921, Los Angeles voted on a municipal law enforcement ordinance to meet the needs of total prohibition, and the ordinance was defeated. Los Angeles received its bone-dry ordinance when the courts handed down a decision that the municipal Gandier ordinance, passed in 1917 to prohibit the sale of hard liquor, remained legal under prohibition, except for its provisions exempting wine and beer. With law and considerable local opinion on their side, the Los Angeles police worked earnestly throughout the era to check bootlegging, and they succeeded in gathering in an enormous booty of liquor and distilling equipment. In the final three months of 1929 alone, the police confiscated 52,101 gallons of liquor and pure alcohol, 37,339 gallons of mash, 268 automobiles caught transporting liquors, and 24 stills and arrested 2,160 persons involved in the liquor traffic. The police were active, and their opportunity was almost unlimited, for liquor continued to flow freely in Los Angeles, despite the exertions of the ninety-seven-man vice division.[21]

Los Angeles, harboring a large wet population, was in a difficult geographic position for prohibition enforcement. The nearness of the Mexican border was a special problem. The Anti-Saloon League noted that a truck made a regular trip to the border for liquor and loaded its product behind the Tijuana customhouse, with the obvious sanction of the officials. The coastline and the surrounding mountains made the work of the police even more complicated. The sprawling dispersion of the city made enforcement difficult, and the numerous incorporated cities in the area placed many trouble spots beyond the jurisdiction of the city police.[22] In Los Angeles, as elsewhere, prohibition probably came nearest to being enforced in 1920, but according to a survey made for the New York *Times* in that year, liquor remained freely available throughout the city.

> The police keep pegging away, but usually only succeed in annoying citizens by ill-mannered friskings of their one-time 'castles' or going over their cars with flashlights. When great conventions like the Shriners and the Elks come to town the usual law of hospitality is invoked. The good settlers hold up their hands in horror and the traffic goes on much as it does throughout the rest of the country.[23]

Six years later another *Times* survey indicated the same earnest activity of the police and no reduction in the amount of liquor consumed by the inhabitants.

> With Federal and city dry squads waging a relentless war on bootleggers for the past six months and with county officials playing a small part, Los Angeles and Los Angeles County seem to be consuming about the same quantity of low-grade

liquors as they did before Colonel R. E. Frith was appointed prohibition administrator for Southern California, with instructions to "dry up the territory."[24]

The complaint was made in Los Angeles and Hollywood that the quality could well have been improved, but the liquor, such as it was, continued to be plentiful. The liquor was similar in variety and price to that obtainable in San Francisco, except that imported liquor was more expensive and harder to find, the best of it coming by way of San Francisco from Canada. Liquor imported from Mexico was available, but it was generally watered and of a low grade. "About the only visible sign of the aggressive campaign of the Federal agents," the report concluded, "is a modification of drinking in the night restaurants and road houses."[25]

Most of the violation of prohibition in Los Angeles took a different form from violation in San Francisco, according to an account written at the close of the era. Because of the early limitation of saloons in Los Angeles as well as the decentralized character of the city, the citizens of Los Angeles had long tended to do their drinking at home rather than at bars. The result was that throughout prohibition comparatively few speak-easies developed in Los Angeles and most of the illicit liquor was dispensed through a vast network of private bootleggers.

> In the downtown area there are a few first class speakeasies, clean, well-kept and provided with more or less good liquor, and there are several in the Mexican and Oriental quarters that are not so good. In Hollywood there are probably fewer than twenty "legitimate" speakeasies, and about the same number of cheap beer flats selling home brew. . . . There is not in the whole of Los Angeles a restaurant-speakeasy of the class common in the East Fifties in New York.[26]

A final *Times* survey of Los Angeles in 1932 found that "the liquor traffic here has never been under more than perfunctory legal control, and it is so well organized that business will proceed as usual even when the ghostly restraint of the State's enabling act is removed."[27]

Although the degree of enforcement was probably greater in the country than in the major cities, the drys made no serious attempt to prove that the Eighteenth Amendment was being scrupulously obeyed anywhere in the state. Yolo County had distinguished itself early and long in the fight for temperance. Its W.C.T.U. had been among the most active in the state and continued to be so throughout the prohibition period. Numerous small campaigns were waged by the Yolo W.C.T.U. during prohibition, such as the Christmas campaign of 1927 which urged Yolo citizens to "serve good fruit juice and ginger ale and shame

the bootlegger." Such campaigns apparently met with severely limited success. The staunchly prohibitionist Yolo *Home Alliance,* in the course of lengthy defenses of the Eighteenth Amendment, made no claim that the amendment was observed strictly even in its own county. An editorial in the *Alliance* commenting on a recent murder by a drunken man, asserted that such actions in Yolo County did not indicate the failure of prohibition there but merely the failure of enforcement.[28]

An investigation of Marysville resulted in the finding that the "wet element is in the majority and that the businessmen favor a wide open town." It was estimated that twenty or twenty-five speak-easies were in operation, as well as gambling houses and houses of prostitution, with little interference from the police or from the prosecuting attorney. The prohibition agent came to the conclusion, shared by the townspeople he had interviewed, that a conspiracy to violate the Eighteenth Amendment probably did exist among the businessmen and law enforcement agencies of the town, but he concluded that "it is doubtful if further investigation by this bureau would warrant the time and expense necessary to such an investigation, particularly in view of the fact that if developed it would be small in comparison with conspiracies that could be developed at other points."[29]

The areas of California which had gone dry under local option were probably dryer then than they were under national prohibition, owing to the subsequent rise of good roads and automobile transportation. In Yolo County, with the soaking wet city of Sacramento on its border, enforcement agencies could not possibly have kept liquor from citizens who wanted it and who were able to drive to Sacramento to get it, even had they been able—which is very unlikely—to keep Yolo County free of bootleggers and moonshiners. One constantly repeated theme of the Anti-Saloon League was that the coming of the automobile put the legalized sale of liquor out of the question. What proved to be true was that the coming of the automobile made prohibition no longer possible even on a local scale.

The long cry of the wets from the gold rush days down to the passage of the Eighteenth Amendment had been that the chief injury prohibition could inflict on California would be the destruction of its grape and wine industry. No practical alternative use for the grape used in making dry wines had ever been discovered, and it was supposed by wets and drys alike that prohibition would result in the entire destruction of the dry-wine vineyards. In 1920, according to the New York *Times,* millions of vines were dug up by California grape growers, and

thousands of holdings were sold at sacrifice prices. One vineyard owner committed suicide because the outlook seemed so dark. The fact was that prohibition was ushering in a period of wild prosperity unparalleled in the history of the wine industry. Not only did illegal wine continue to be made during prohibition, in common with illegal liquor of all sorts, but wine could be marketed openly by resort to numerous legal subterfuges. Beyond that, it was found that there was embodied in the stringent Volstead Act specific sanction for the production of homemade wine.[30]

The clause in the Volstead Act which was eventually construed by the courts as permitting homemade wine declared: "The penalties provided in this Act shall not apply to a person for manufacturing nonintoxicating cider and fruit juice exclusively for use in his home, but such cider and fruit juices shall not be sold or delivered except to persons having permits to manufacture vinegar."[31] Elsewhere the law defined nonintoxicating beverages as any containing less than one-half of one per cent alcohol by volume; it provided also that all provisions should be liberally construed to the end that the use of intoxicating liquor as a beverage be prevented. On the latter grounds some courts early decided that homemade wine and hard cider were illegal. However, the view eventually taken by a circuit court of appeal and acquiesced in by the federal government was that, if such were the case, the provision would have been unnecessary, and therefore the term "nonintoxicating" as applied to homemade wine meant something other than the one-half of one per cent alcoholic content which applied to the rest of the law. It was on this basis that the law was generally applied thereafter. When a person was indicted for making wine or hard cider for home consumption, it was left to the jury to determine whether the product was intoxicating in the mysterious meaning of the special clause. In addition, the wine industry enjoyed a special legal status under the Volstead Act in the exemption made for sacramental wines. The fact that sacramental wine could be produced commercially made it much more difficult for enforcement officers to suppress the production and distribution of illicit commercial wine.[32]

Obviously the special clause in section 29 of the Volstead Act was not drawn up with a view to protecting the rights of America's wine-drinking and wine-producing population. The apparent reason for the ambiguous provision was that hard cider was the traditional drink of certain of the rural, Protestant, native American groups which had been chiefly responsible for the coming of prohibition. Whether or not a

drink is intoxicating depends on the drinker as well as the drink, and many persons in this group no doubt felt that they could be trusted with their native drink as other groups could not be trusted with theirs. That the special dispensation would extend to the national drink of Frenchmen and Italians was, it may be supposed, an unforeseen complication, for these were among the people whose drinking habits the drys were most eager to curb. How loath the Anti-Saloon League was to extend any special concessions to the new immigrant groups may be seen in a warning issued by the *California Liberator* in 1931:

> . . . to the foreign-born leadership, the liquor rebellion looks for its largest support. This is a matter to be treated firmly but sympathetically. . . . These backward religious groups, uninformed and prejudiced, must be wisely and persistently appealed to. . . . But the stubborn fact confronts us that the outlawed liquor traffic finds its rebellion secured in a large section of a Church which is yet more Roman than American. Here is the strength of the wets.[33]

Throughout the 'twenties the drive for prohibition enforcement remained intimately connected with the drive for immigration restriction; yet, unhappily for the drys, home production of wine continued openly and legally throughout the foreign sections of the state. Of San Francisco the New York *Times* declared: "A walk through the Italian quarter reveals wine presses drying in the sun in front of many homes. The air is heavy with the pungent odor of fermenting vats in garages and basements." It appeared that nearly every home in the foreign section had been converted into a small winery.[34]

Native Americans also tried the wine-making experiment early in the prohibition era, but the difficulties involved discouraged many who were not familiar with the processes and for whom wine was not a regular part of the diet. The desires of these people were met when the California Wine Association in 1920 placed on the market "a harmless grape jelly" which could be made into a beverage by adding water. This particular dodge was repeated in various forms throughout prohibition and was applied most forcefully in 1931 under the trade name Vine-Glo. Sponsor of Vine-Glo was Fruit Industries, Inc., a grape growers' coöperative which virtually controlled California's wine-grape production. Its advertisement declared:

> Now is the time to order your supply of VINE-GLO. It can be made in your home in sixty days—a fine, true-to-type guaranteed beverage ready for the Holiday Season.
>
> VINE-GLO . . . comes to you in nine varieties, Port, Virginia Dare, Muscatel, Angelica, Tokay, Sauterne, Riesling, Claret and Burgundy. It is entirely legal in your home—but it must not be transported.
>
> . . . You take absolutely no chance when you order your home supply of VINE-GLO which Section 29 of the National Prohibition Act permits you.[35]

Fruit Industries acquired two formidable allies against the expectation of dry opposition: Mrs. Mabel Walker Willebrandt, the former Assistant Attorney General of the United States in charge of prohibition prosecutions, and State Superintendent Briggs. Mrs. Willebrandt, following her resignation from her government post, was hired as attorney by Fruit Industries, to the delight of Al Smith, whom she had attacked fiercely in the 1928 election on the grounds of his wetness. "I congratulate the Fruit Industries in securing the services of so competent a person as Mabel," Smith told a Newark, New Jersey audience.

> She did two things for them, two wonderful things. She convinced the Department of Justice that this 12 per cent wine was not intoxicating. That was some stunt when you figure that old Andy Volstead fixed it at half of one per cent, and she jumped it up 11½ per cent and still robbed it of every intoxicating character. But she did something else for them that was equally important. She got the Farm Board to lend them $20,000,000.[36]

Briggs performed even more remarkably, for a time at least. He personally quieted the opposition of the National Temperance Council and the National Legislative Council, the two main national dry policy-making groups, by his argument that the practice should not be opposed. He testified that Vine-Glo was perfectly legal under the Volstead Act, that the majority of the directors of Fruit Industries were prohibitionists, and that the practice of making prefabricated homemade wine "must be watched critically but sympathetically."[37]

Vine-Glo was removed from the market at the end of 1931, when the justice department threatened prosecution on the grounds that the intent to produce wine could be proved against the manufacturers. Briggs had by that time disassociated himself from the embarrassing enterprise. His *California Liberator* commented: "Fruit Industries is charging the Federal Government with bad faith. That is the way the sinner usually feels about it in a situation like this."[38] Mrs. Willebrandt also returned to the fold with a speech declaring that there "is no middle ground" in the matter of prohibition enforcement. Although the federal government decided to move against Vine-Glo, it refrained from interfering with the production and sale of "wine tonics." These "tonics," of high alcoholic content, were federally licensed and on sale in drug stores, tobacco shops, and restaurants.[39]

Soon after the Volstead Act was passed, with its special provision affecting wine and cider, grape shipments in the nation leaped to second place among all the fruit shipments originating in the United

States, the first place being taken by apples. California was much the most important grape growing state in the Union, and it was the California industry which absorbed the largest benefits of the Volstead Act. From 1920 to 1926, shipments of grapes from California increased 125 per cent, while shipments originating in all other states increased but 25 per cent. Wine grapes showed the most spectacular increase, but table grapes and raisins also shared in the boom. So far as raisin grapes were concerned the boom was short-lived and not of great importance, since raisins were not suitable for wine making, and since the California raisin industry was governed by conditions on the world market rather than those on the national one. But the demand for wine grapes continued to be unusually heavy throughout the prohibition era, stimulating a vast increase in the grape acreage of the state. The increased production, in turn, by the middle of the decade resulted in a serious overproduction, despite the continued heavy demand. There followed a sharp decline in prices and a series of crises, which continued into the depression period. So serious was the situation by 1931 that government authorities suggested an extensive vine-pulling program as the only feasible solution, though there was at the time doubt whether the government could lawfully undertake to finance such a program. The grape growers, who before prohibition had shifted indecisively from one wrong horse to another, had made the wrong guess twice during prohibition. At the outset of prohibition many growers had pulled up their vines in expectation of a closed market; at prohibition's end there was more vine pulling.[40]

Chapter XI

REPEAL, 1930–1933

The 1930 election filled both houses of the state legislature with three-to-one dry majorities, an unparalleled victory for the state Anti-Saloon League. "The election made one thing clear," the League declared, "namely that California is definitely and increasingly dry." Two years later the Wright state prohibition enforcement law was repudiated by a two-to-one majority at the polls. In the following year the Eighteenth Amendment was repudiated by a three-to-one majority, and since that time all proposed measures even faintly suggestive of temperance have been defeated by substantial majorities. In 1932, after the Anti-Saloon League had passed through thirteen years as the apparently all-powerful guardian of prohibition, all life suddenly departed from the dry cause. Such a deacon's masterpiece had the League proved to be that it survived intact until, weighed down by the accumulated failures and exasperations of the law and placed in the new world of the depression, it went to pieces all at once.[1]

The shift in popular opinion manifested itself with magical suddenness, and the Anti-Saloon League, bereft of its old power, lingered on in the depression era, a futile, antiquated figure of fun. The gains of eighty years of temperance agitation were washed away in the reaction, and in the generation that has followed, none of the losses have been restored. The liquor industry probably has greater freedom and greater power in the state today than it did at the time the League was founded, and it owes its privileged position in great measure to the past activities of the League. The open saloon and the legalized liquor industry, returning to California with all the flagrant power and greedy corruption of old times, have been protected as never before by the active, prohibition-bred, popular suspicion of temperance measures in any form. After the repeal of the Eighteenth Amendment it was the hope of the League that the excesses of the liquor industry would soon result in the industry's downfall, but in the minds of the majority of California voters these excesses have been outweighed by the past excesses of the temperance forces. The Anti-Saloon League rose to power on the theory that in the fight for total prohibition the end justified the means. It sowed lasting suspicions by its opportunistic methods, and it has reaped the whirlwind in the present untrammeled liquor traffic, which finds its position secured by the popular distrust

of all temperance agitation, regardless of its professedly limited purpose.

In the whole course of the antiliquor crusade in California, from the gold rush to the passage of the Eighteenth Amendment, the temperance men had never faced organized opposition from the drinking public. The brunt of the fight had been taken by the liquor organizations. Semipublic groups such as chambers of commerce and German-American organizations frequently passed wet resolutions at crucial times, and city officials, notably the San Francisco board of supervisors, were often in active opposition to the drys, but no important organization was ever developed with the specific purpose of defending the liquor drinker against prohibition. That no such organization did develop may be explained mainly by the inherent difficulty of organizing consumer interests at all, but also by the actions of the liquor organizations already in the field. These organizations devoted apparently unlimited resources of wealth, energy, and influence to the wet cause, making the need for outside contributions appear ridiculous. They also employed their resources so unscrupulously as to repulse the decent drinking citizenry.

Until the passage of the local-option law in 1911 the liquor groups opposed any restraint whatever on the rampant liquor traffic. They repeated the cry of "personal liberty" until the phrase lost all meaning except that of the right to operate a saloon anywhere without any legal restrictions. Then as the Anti-Saloon League began to make inroads on the liquor traffic, the liquor organizations discredited themselves by such mummeries as the reform activities of the Knights of the Royal Arch, the temperance advertisements by the brewers, and the essays by the wine industry on Old World culture, Bible lore, and "true temperance."

It was the clumsy, irresponsible, and obviously interested character of this opposition that explained much of the Anti-Saloon League's early success. When the character of the active opposition automatically changed with the coming of prohibition, the League was unprepared to meet the new challenge. With the coming of prohibition the League faced that powerful source of opposition, the silent, vast, unorganized drinking public, which would coöperate with anyone who would supply it with liquor. In California this group may have made up a majority of the adult population. Against this unexpected mass resistance the League lashed out unavailingly, until, in its fight against every individual violator of the Constitution, it lost that humane, progressive

quality which originally had attracted an important part of its following. The League and enforcement officials might have chosen to grant sufferance to this drinking public, while concentrating on the bootleg-supply system, which was more vulnerable to attack than the legitimate liquor traffic had been, but such a course was not taken. This criticism was made to Rowell by Martin Madsen, a leading political figure in the state.

> I have always felt that a great blunder was made in pursuing the otherwise law-abiding citizen for having a flask . . . consumed privately. Legal or illegal, right or wrong, too much violence was and is done "personal liberty." It was bad tactics. I would let wine-drinking people make their own limited supplies without molestation. It's a problem of a generation or two establishing prohibition. But I would concentrate all effort against bootleggers, those who deal in it. Public opinion has no sympathy for them.[2]

Instead of this strategy the absolutist religious opposition of the drys made itself felt in the vengeful harassment of the individual drinker, in a futile, bitter, and losing fight.

In addition, the drys faced for the first time the novel opposition of the organized drinker. The first and most important of these organizations was the National Association Against the Prohibition Amendment, which formed a California branch in 1922.[3] Drinking citizens were invited to join for a dollar membership fee, and by 1924 the California branch claimed twenty-five thousand members. The officers of the organization, it was declared, were working solely in the public interest and for no compensation, none of them having any financial interest in any branch of the liquor business. While this claim may have been technically true, it was apparent that the Association received strong support from the liquor interests and in California was served by such old champions of the wine industry as A. E. Sbarboro and James Madison. By 1924 the Grape Protective Association had become less active; its functions apparently had been absorbed by the National Association Against the Prohibition Amendment.[4] The Association was identified by the drys as the new united wet organization unifying the old liquor interests; its character was certainly that of a narrowly based, heavily financed, highly professional national organization rather than a local grass-roots development. Its official publication, the *California Minute Man,* for instance, gave no evidence of local authorship.[5] It dealt with national subjects almost exclusively, paying little attention to the local conditions and local elections which absorbed much of the attention of the Anti-Saloon League's *California Liberator*

and the Prohibition party's *California Voice*. The Association gave no evidence of developing a strong, permanent local membership, and its major activities in the state revolved around national figures such as Dudley Field Malone. In southern California its efforts received a very disappointing welcome. An A.A.P.A. dinner at which Malone spoke in Los Angeles was widely publicized as crucial to the Association's efforts in southern California. "These efforts," the *Liberator* reported, "resulted in an attendance of not more than one hundred. A few enthusiastic wets applauded vigorously. A number of ladies sat around the room smoking."[6]

Few prominent southern California citizens could be persuaded to lend their names to the wet cause during prohibition, but in northern California the situation was otherwise. Officers in the organization included such prominent men as District Attorney Matthew Brady and Judge Matthew I. Sullivan. And something of the extent of the powerfully placed public support for the Association's activities, as far as San Francisco was concerned, was evidenced by the "Executive Committee of One Hundred" of the Wright Act Repeal Association, a temporary organization developed for the 1926 campaign in coöperation with the Association Against the Prohibition Amendment. Many of San Francisco's leading citizens were included in the list. Of the hundred-man committee, sixty-eight members were from San Francisco, twenty-two from Los Angeles, and six from San Diego. Twenty-nine listed their occupation as labor leader; all of these were from San Francisco. The rest of the list was made up almost entirely of businessmen and lawyers. Only two farmers were represented among the hundred names. In San Francisco, at least, the Association was actively supported by community leaders; it was therefore a more formidable adversary than had been the earlier professional liquor organizations. Its relatively weak showing in Los Angeles reflected that city's sentiments to the very end of prohibition. On the eve of repeal, Municipal Judge Robert Kenny, organizing a prorepeal parade, could find no leading businessman in the city whom he could persuade to take part. Public opposition to the Eighteenth Amendment did not become respectable in Los Angeles.[7]

The Association's primary objective was modification of the Volstead law to permit the sale of light wine and beer "in such a way as to guarantee against the return of the saloon."[8] Coupled with this legislative aim was the campaign for outright violation of the law.[9]

And the Eighteenth Amendment will remain in the Constitution and it will be violated and nullified by a rapidly increasing number of men and women who will refuse to allow their eating and drinking habits to be interfered with by a group of fanatics and by a Government whose wisdom in such matters has never been questioned more unanimously than at present. RESPECT THE PROHIBITION LAW! NEVER![10]

The fight for nullification rather than repeal was dictated by the apparent hopelessness of the fight for repeal. "Taking the thirteen states which have been dry longest by local legislation," Chester Rowell wrote the head of the California branch of the Association, "and assuming that they will remain dry in the future for as many years as they have been dry in the past you will see that the possibility of constitutional change is indefinitely remote."[11] The argument was convincing to wets as well as drys, and faced with this situation the wets found hope only in outright violation. The demand for modification of the Volstead Act gave the appearance of constitutionality, but a law which would have declared wine and beer to be nonintoxicating would hardly have been an honest implementation of the Eighteenth Amendment. Like nullification, it was an attempt to alter the Constitution by ignoring it.

By 1926 nullification appeared to promise final success for the wet cause, and William Kent, who as Congressman had voted for most dry measures, wrote in that year that "we may find that our next fight . . . will be to return to the old problem of local option and state responsibility, squarely in the face of the mandate of the constitution."[12] Extralegally this was what had in fact occurred by the end of prohibition. Robert Kenny's prorepeal *Midweek* newspaper maintained that "prohibition . . . was a far more stench-creating scandal in its early years when it was enforced by lawless brutality and defiance of constitutional bills of rights, than it was toward the end when it drifted into a fairly urbane shakedown opportunity for enforcers."[13]

So far as California was concerned, nullification activities centered logically around the repeal of the Wright law, and after the defeat of the Wright law referendum in 1922 a new organization, the United California Protective Association, came into being under the sponsorship of Assemblyman William B. Hornblower of San Francisco, with the objective of fighting the Wright law in the courts and the legislature. A move to bring the law to another referendum in 1924, launched by the United California Protective Association and the Grape Protective Association, was suppressed by the Association Against the Prohibition Amendment on the grounds, apparently, that the times

were unpropitious. In 1926, however, the Association organized under the name Wright Act Repeal Association, to bring the act to a referendum vote. The argument against repeal of the act was written by David Starr Jordan, president of Stanford University; the argument for repealing it was written by Matthew I. Sullivan, a San Francisco Progressive leader and former chief justice of the state supreme court. Jordan, who a generation earlier had detected a 3 per cent increase in scholarship at Stanford after the dry zone was established around that institution, made no attempt to defend the Wright law on the basis of its practical value. His argument was based on the need for a respect for the Constitution. Sullivan argued that maintenance of an unenforceable law was mischievous, that the Volstead Act would have to be modified to permit the sale of beer and wine, and that California voters should repeal the Wright law as a protest against the unworkable Volstead Act. The argument proved to be too tenuous for California voters, and the referendum was defeated by the same percentage of margin as in the 1922 election: 565,875 to 502,258. A heavier vote for the 1926 referendum brought a larger numerical majority against repeal, and the drys hailed the election as a dry victory which indicated a California trend in favor of prohibition.[14] An analysis of the election by the National Commission on Law Observance and Enforcement however, interpreted the vote as indicating that a majority of voters in the state were still in opposition to prohibition.

> A question like this one—the repeal of a State enforcement act—never polls the full wet vote. Many anti-prohibitionists, who would like to vote in favor of some kind of a moist proposition cannot bring themselves to the point of repealing the State acts and leaving liquor without any State control. On the other hand, such a question does poll the full dry strength, because prohibitionists feel that they can consistently urge the maintenance of State enforcement acts. . . . It is believed that on a modification proposal this small percentage would have been wiped out and the State would have shown a moist majority.[15]

Although wet efforts to achieve legal nullification of prohibition were blocked by the referendum and legislative victories of the drys, the wet campaign for de facto nullification was greatly aided by their victories in all the campaigns for United States Senator during prohibition, victories which placed the appointment of federal prohibition enforcement officers in the hands of wets. In 1930 the wets won a further important victory in the election of a wet governor, James Rolph, Jr., a victory which was the greater for the disintegrating effect it had on the dry forces. Of the two dry candidates in the 1930 Re-

publican gubernatorial primary, one—the incumbent, C. C. Young—had for twenty years been a leading figure in the California dry movement. His considerable services to the dry movement and his position as incumbent governor led many drys to suppose that his sponsorship by the Anti-Saloon League was a foregone conclusion, particularly since his opponent, Buron Fitts, was relatively new to politics and Fitts's services to the dry movement had been, as the *California Liberator* later admitted, negligible. The election was complicated, however, by sectional antagonism. Governor Young was from northern California, and a strong sentiment had developed in southern California that the next governor should come from the southern part of the state. The benefit of this feeling would go to Fitts, the District Attorney of Los Angeles, against the wet Rolph of San Francisco and the dry governor from Berkeley.[16]

Early League endorsement of Young might have persuaded Fitts to withdraw from the race, but no such endorsement was given until late in the campaign. Despite repeated demands from dry leaders such as Chester Rowell and State Senator H. C. Jones, Briggs delayed taking action on the issue until July, two months before the primary election. In the face of the League's noncommittal stand, other dry support began to flow to Fitts. Twenty-seven Los Angeles County W.C.T.U. locals declared for him, and Protestant ministers sent circular letters throughout the state on his behalf. The W.C.T.U. of northern California, on the other hand, declared itself for Young. Bob Shuler, a Los Angeles Methodist minister and influential dry, declared for Fitts, charging, on no apparent basis, that Young was being supported by the now soaking wet Hearst press.[17] In reply to a letter from Briggs late in June requesting advice on the matter, Senator Jones said: "If there is any way that the Drys could become worse divided than they are, or the whole thing more bungled than it has been, I don't know what that way is. . . . Upon no other man in California will there rest such a grave burden of responsibility, and of blame, as yourself if the Governorship gets into the hands of Rolph."[18]

Drys were the more infuriated with Briggs's inaction since Fitts, in addition to being a weak candidate, was widely believed to be an unreliable dry. Fitts counted among his active supporters Tom Finn, the San Francisco political boss, and other pronounced wets.[19] Even Briggs admitted that it "certainly looks as though Fitts has put himself in a very wet frame" in the course of his campaign.[20] He consoled himself, however, with the prediction that "Young leads, with Fitts second, and Rolph a rather poor third."[21] On July 1, after six months of delay by

Briggs, the Anti-Saloon League board of directors met and declared itself for Young, accompanying the endorsement by words of ringing praise for Fitts. The result of the election was a victory for Rolph, who received 377,399 votes to 356,765 for Young and 292,743 for Fitts. Rolph's narrow margin of victory over Young indicated that Young would almost certainly have won had Briggs placed the League behind him before Fitts had had time to gather dry strength in southern California.[22] After the primary, Briggs washed his hands of the whole affair in the columns of the *California Liberator:* "The Anti-Saloon League gave to the drys of the state unbiased advice. Contrary advices led a lot of honest people to disregard the counsels of the Anti-Saloon League."[23] Rolph's victory in the November general election was a foregone conclusion.

The election of a wet governor was a major defeat for the dry cause in the state; but equally disastrous were the antagonisms within the dry movement which were aroused by the Fitts-Young fight—antagonisms which were only partly sectional in character. Young was, generally speaking, associated with the Progressive wing of the Republican party in California, and Fitts with the conservative wing; and the division repeated once more the pattern which had been established in the 1920 senatorial fight. In that contest, dry strength was divided between the conservative dry Republican, A. J. Wallace, and the radical dry Republican, William Kent. In the struggle for prohibition, the League had formed an alliance with the California Progressive movement, but such an alliance was not essential to the dry cause. In the 'twenties the state Progressive movement was itself weak and divided, while the Anti-Saloon League, having—on paper at least—achieved the millennium, was no longer officially interested in progress. Under any circumstances the League would have assumed a more conservative attitude in the 'twenties, but the change was probably accentuated by the League's change in leadership. Briggs, a cautious man of some wealth, tended at each alternative to make the conservative choice or to avoid making any choice at all. Hichborn opposed Briggs from the first on the suspicion that Briggs was bent on turning the dry vote to reactionary purposes. In 1922 Hichborn wrote to John Randolph Haynes of this fear.

> [The Protestant-prohibition vote] runs a little above 350,000; is the middle class vote; and the vote which decides most issues for good or bad. The reactionary element has recognized the potency of this vote ever since 1916 when Dr. Gandier and myself organized it and made it effective. . . .
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> Ever since that time the reactionaries have been endeavoring to get control of the dry organization and apparently they have been very successful in doing so.[24]

In 1926 as in 1920 the Anti-Saloon League under Briggs had supported the more conservative and less popular of two dry candidates for United States Senator, and had supported candidates of similar character for the state legislature. In the 1924 legislative session, according to Hichborn, the Progressive drys had supported T. M. Wright, the author of the Wright enforcement law, as speaker of the assembly, and H. C. Jones as president pro tem of the senate. Against these men the anti-Progressive drys had supported Assemblyman Merriam, a lifelong dry but unreliable so far as the League was concerned, and Senator Breed, a doubtful dry on the basis of his record. When Briggs supported the non-Progressives against the two strong Progressive champions of the League, Hichborn maintained, the two Progressives were forced to withdraw to avoid splitting the dry vote and permitting the positions to go to wets.[25] In 1930, as Briggs admitted, Fitts was associated with the machine which put candidates in the field to oppose both Wright and Jones. Briggs in the 1930 election endorsed one candidate for the state legislature who was both conservative and wet, asserting that he had a 100 per cent good record on all moral issues. The legislator was later investigated for being on the payroll of a liquor group while serving in the legislature. Briggs admitted also having endorsed a wet candidate in another election. On that occasion he pleaded ignorance of the situation and declared that the candidate would thereafter "go straight or have some difficult explaining to do."[26] On the basis of Brigg's past record, Irving Martin, an Anti-Saloon League official and publisher of the Stockton *Record,* predicted in February, 1930, that Briggs would fight against the Young endorsement.

> I have a very keen recollection of how Sam Shortridge came to go to the U.S. Senate and one person that I have always held largely accountable for that was Arthur Briggs. . . . It would seem as if Briggs could be prevented from securing an endorsement for Fitts. . . . But I think it is very evident that Briggs is so pompously egotistical and perversely blind that he is incapable of seeing anything, or at least will not allow anything, to override his personal desires or prejudices. . . . Briggs' main mission seems to be to defeat the very purpose which presumably he is aiming to accomplish.[27]

The kind of difficulty in which Briggs found himself was partly a product of the dry success as far as the state legislature was concerned. With so many candidates willing to declare themselves dry, the League was placed increasingly in the position of having to make its choice on some other basis. "We know something of the strength of the political pull in opposite directions for the last two months, for we have experienced it," Briggs wrote in July, 1930.[28]

Amid the perplexities and disillusionments of prohibition, one fight did present itself to Briggs and the Anti-Saloon League which, in the clear-cut issue it provided, once again aroused some of the old-time joy of the preprohibition fights. As presidential candidate on the Democratic ticket in 1928, Al Smith represented everything that the League opposed, while running against him was Herbert Hoover, California's favorite son and a man widely heralded as a dry. Smith was openly and wholeheartedly wet, he was a Catholic, he was from the wet center of New York, and his support was drawn particularly from New York's immigrant and first-generation American population. Through most of 1928 the Anti-Saloon League abandoned itself to the fight against Smith.[29] From March through November, 1928, the *California Liberator* was devoted almost exclusively to the one point. Six hundred church meetings were held under League auspices, and the League sponsored two hundred and fifty other meetings. It distributed eight million pieces of printed matter and fifty-one thousand letters. According to the *Liberator,* the League "literally exhausted its resources in men and money to beat Smith in the primaries,"[30] and the fight continued zestfully to a successful conclusion in the general election. It was the last thoroughly satisfactory campaign the League was to experience. The depression soon followed, and with the depression came a rush of events which swept the Anti-Saloon League and the dry cause into oblivion.

The success of the League in California in persuading state legislators to pledge themselves dry disguised that fact that California had always voted wet when it was given the chance and had never given a convincing majority vote in favor of enforcement of the law while it was in the Constitution. Representation in the state legislature was, after all, too heavily weighted in favor of the rural areas to give a fair indication of the majority sentiment in the state. Long before the League won its great victory in the state legislature of 1930 it had lost the support of powerful elements which originally had been at least mildly sympathetic to prohibition. One serious defection was William Randolph Hearst. Following the defeat of his own Rominger bill, Hearst had ordered the San Francisco *Examiner* and the Los Angeles *Examiner* to make a straight-out fight for prohibition. But by 1927 Hearst had taken the new position that "the Anti-Saloon League with its dictation to the elected representatives, with its attempted intimidation of the President with its usurpation of authority, *must be banished from the United States.*" By 1929 Hearst had become, in the eyes of the

California Anti-Saloon League, "the commanding general of the liquor forces." Then, too, the successful conquest of the labor movement, which had seemed at least promising to the drys on the eve of prohibition, was apparently cut short by the passage of the Eighteenth Amendment. Paul Scharrenberg, the leading labor leader of the state, who had shown a tentative interest in the dry cause in 1918, was among the twenty-nine labor leaders who helped sponsor the Wright law repeal referendum in 1926; and businessmen who had found the economic arguments for prohibition attractive were increasingly being attracted by the economic arguments for repeal. The chief such argument was that the return of the legalized liquor traffic would provide tax relief for businessmen. In 1931 the dry cause suffered a further defection when the state convention of the American Legion, with the national convention, adopted wet resolutions.[31]

Meanwhile the wet citadel of San Francisco continued its wet campaign without letup and redoubled its efforts as hope for repeal rose. In 1932 the board of supervisors memorialized Congress to start repeal of the Eighteenth Amendment, and in the same year the San Francisco Chamber of Commerce and the Grain Trade Association launched the movement which culminated in the repeal of the Wright enforcement law. In 1929, 546 of the 651 members of the San Francisco Bar Association voted for repeal, in the strongest prorepeal expression registered by any bar association in the country. The Association Against the Prohibition Amendment was meanwhile continuing it activities, urging the voters to "VOTE AS YOU DRINK."[32]

Various women's antiprohibition organizations developed to counteract the activities of the W.C.T.U.; and at the close of the decade there developed a new wet organization, the Crusaders, which assumed much more the character of a grass-roots movement than had the Association Against the Prohibition Amendment. Organized in Ohio in 1929, the Crusaders was an association of young men who claimed to take the middle ground between the excesses of the liquor traffic in the preprohibition era and the excesses of prohibition itself. Its members claimed that they had formed the organization purely in the interests of the drinking public.[33] According to its Los Angeles commander, Robert Kenny, it was simply "organized thirst."[34] It announced that its cardinal principles were the same as those drawn up by the Anti-Saloon League in 1913: (1) abolition of the saloon, (2) elimination of the corrupt relationship between the liquor traffic and politics, (3) decrease of police forces, court costs, and the population of the local,

state, and federal prisons, (4) removal of the temptation to drink among the youth of the country, (5) abolition of widespread drunkenness, and (6) drastic reduction of the nation's drink bill. There was sufficient truth in this implied caricature of prohibition to give the Crusaders logical claim to the title "temperance men."[35]

In spite of the failure of prohibition and the divisions among the drys, the Eighteenth Amendment appeared to be as securely fixed in the Constitution as ever, ten years after it went into effect; yet three years later it was voted out in California as elsewhere by overwhelming majorities in every part of the state. One of the strongest influences contributing to its collapse was the depression. Regardless of changing conditions in the nation, the drys continued to insist that proper observance of prohibition was the crying issue of the hour. Through the deepening depression the Anti-Saloon League continued its single-minded campaign, while the nation as a whole was drawn increasingly to the more fundamental problem of making bare livings. As society became increasingly unstable and livelihoods became increasingly precarious, the harsh, unvarying insistence of the drys on proper observance of the Eighteenth Amendment came to seem to many to be pie in the sky, irrelevant to the needs of the hour. And while the depression tended to weaken the rank and file support of prohibition, it also turned the wealth of the nation against the law. With the increased difficulty of paying taxes, the argument that the liquor interests before prohibition had provided one-quarter of the financing of the government had great appeal, particularly to men of great wealth. Whether or not the argument had any broadly based appeal, it brought heavy financial contributions to the cause. But for the Anti-Saloon League the reverse was true. Wealthy men might spend heavily during the depression to bring future gain, but for the people in the lower-income groups, on which the League largely depended, the depression meant retrenchment. In 1932, at the critical moment of its career, the League, for lack of funds, was forced to abandon its organizational system of dividing the state into districts, each under an experienced League director. "We cannot do that this year," the *California Liberator* announced. "We do not have the money to do it. The depression has hit the Anti-Saloon League just as it has hit every other agency. We must roll responsibility on the friends of prohibition as never before. Sacrificial service must be added to sacrificial giving."[36] After thirteen years of disillusionment such sacrifice was less easy to obtain than formerly.

The depression proved inhospitable to the dry cause in many ways,

and the League was in poor condition to withstand new buffetings. "We are rounding Cape Horn and a gale is blowing," Superintendent Briggs wrote in January, 1931, "but the ship is strong and ably handled, she will weather the storm."[37] Faced with the threat of impending repeal, a National Board of Strategy was organized to unite all dry forces in the nation, and a meeting of the California dry groups was held in Fresno in August, 1931, to organize the state branch of the Board. Agreement was reached between the representatives of the Anti-Saloon League, the Independent Order of Good Templars, the Prohibition party, the W.C.T.U., the California State Church Federation, and two women's organizations created since prohibition: the Woman's Committee of Five Thousand and the Woman's Law Enforcement Committee. The representatives agreed to coöperate wholeheartedly with whatever plans the Board might submit in the matter of political candidates as well as the action against repeal.[38]

The impressive show of unity was temporary. Briggs was placed at the head of the California Board of Strategy and at once attacked an allied group which he felt was acting independently and therefore at cross-purposes with the organization he headed. Thirty-three groups had agreed to join the movement, he declared. "Then it developed that 32 of the dry fingers were ready to clench into a fist but there was one separatist member. This separatist group has christened itself the 'Allied Drys.' The 'Allied Drys' is really the old flying squadron under another name reinforced by Dr. Daniel A. Poling."[39] Dr. Poling answered in a letter which pointed out that five of the six regular speakers of the Allied Drys were members of the Board of Strategy, and that the Allied Drys had been attacked by the Board nowhere in the United States but in California.[40] The dispute apparently was settled, since the Allied Drys were subsequently granted space in the *California Liberator;* but in the pressure of the campaign other dissensions followed. In April, 1932, Briggs wrote in the *Liberator:* "Literally every dry unit in the state big and little, is coordinate for the purpose of the 1932 campaign.... the drys have agreed to take leadership."[41] Privately, however, he wrote:

> Administration of the campaign has been largely taken away from the Anti-Saloon League and transferred to that of the Southern Division of the Strategy Board. My assistant superintendent feels that he is working under the direction of the Strategy Board. He has said to me: "I am taking orders from Judge Bledsoe. You may say what you please, but I will do what I please." I have been kept in ignorance of what is being done.[42]

In the previous year a quarrel had arisen between Briggs and the then head of the southern California division of the League. The dispute had divided the sympathies of the executive committee and had led to the resignation of the division head.[43]

In the spring of 1933, when a bill passed the senate calling for a special election of delegates to a state convention to vote on repeal, Senator H. C. Jones telephoned the information to the Anti-Saloon League in San Francisco, suggesting that a meeting be called at once with the W.C.T.U. leaders to arrange for selecting names for dry delegates. Several days later, failing to contact any League members, he called on the president of the W.C.T.U. of Northern California to find what had been accomplished at the conference. He learned that there had been no conference, that the W.C.T.U. had not been consulted, that Briggs had arranged for the delegates on his own initiative, and that for some time past Briggs had regularly ignored the W.C.T.U. Despite the brave show of the Board of Strategy, the California drys apparently never recovered from the divisive effects of the 1930 election.[44] Briggs, for his own part, keenly felt the divisions that had been made in the dry army in the course of his tenure of office. Reflecting on the matter, he came to the conclusion that it was the Eighteenth Amendment which had debilitated the drys in this as in other respects. The thought gave him one more reason to welcome the coming of repeal. "Nor are we hopeless because we are again in a minority," he wrote after the landslide vote for repeal in 1933.

> It may be the best thing that can happen. Minorities stick together. Majorities fall apart. It often happens that we lose when we win. Victories may make us self-confident and lazy. Moral victories have always been won by minorities. The liquor traffic will now know that it is fighting, not a fat, indolent, self-satisfied majority, but a lean, fearless, truceless, fighting minority.[45]

With these words Briggs moved into a new era which bore little relation to the old ideals of the Anti-Saloon League. He died in the following year, and the Anti-Saloon League survived him as an isolated, minor political organization of no practical consequence to the political life of the state.

Early in 1932 the Anti-Saloon League summed up its task for the year:

> In addition to California's part in keeping a cocktail president out of the White House, we have a sizable job of our own. In this state this year we have this to do:
> 1. Elect a United States Senator.
> 2. Elect twenty United States Congressmen.

3. Elect a State Legislature.
4. Defeat two vicious initiative measures on the ballot.[46]

All this in a little over seven months!

Among these objectives the election of the dry United States Senator was achieved. It was the first dry triumph in the senatorial field since the coming of prohibition; but the victory was due to no good management on the part of the drys, who placed two dry candidates in the general election against one wet one. The wet candidate, Tallant Tubbs, who defeated Shortridge in the primaries, had the misfortune to be the Republican candidate in the first real Democratic landslide in the history of the state. The dry victor, William Gibbs McAdoo, undoubtedly won the election through his association with the victorious "cocktail president," whom he trailed by nearly 400,000 votes. The most remarkable showing in the election was that of the second dry candidate, Robert F. Shuler, the candidate of the Prohibition party. Shuler's party commanded 3,000 votes in the primary, but in the general election Shuler received 560,088—more than half as many as the victorious McAdoo. No previous Prohibitionist candidate for Senator from California had ever received a tenth of that vote. The surprising support given Shuler in the 1932 election is to be explained only as the death gasp of what had been the dominating political voice in California for a generation—dry Republicanism. A half million voters had refused to compromise their principles either by voting for a soaking wet or by voting for a Democrat. Meanwhile the legislature elected in 1932 was solidly wet for the first time since before prohibition.[47]

The two wet measures voted on in the 1932 state election were repeal of the Wright state enforcement law and an initiative measure instituting a new state liquor regulation law to go into effect upon the repeal of the Eighteenth Amendment. The initiative declared that, after repeal of the state and national prohibition laws, the "State of California shall have exclusive right to license and regulate the manufacture, sale, possession, transportation, importation and exportation, of intoxicating liquors." It prohibited "public saloons, bars or drinking places where intoxicating liquors are kept, sold or consumed," but permitted the serving of wine and beer in public places where meals were offered "in good faith." It permitted also retail liquor stores but prohibited the sale of drinks in them. The argument for repeal held that the second measure would insure against the return of the saloon on the one hand, and against the return of prohibition by means of local option on the other.[48] The argument against the measure made the same point with respect to local option.

This is not a measure to enact any present law but is a constitutional amendment to prevent the possible passage of certain laws in a hypothetical future contingency. Its principal effect would be to deprive a future legislature, in the event of the repeal of national prohibition, of the power then to pass a local option law, such as California had before national prohibition.[49]

Such an argument was wretchedly weak in the hands of the drys, who had argued this principle in exactly the reverse manner when their cause had been on the ascendant. It was this kind of difficulty which filled the wet Los Angeles newspaper *Midweek* with glee at the time of the repeal of the Eighteenth Amendment, as it contemplated the problems of the drys, "who now find themselves on the offside of the Constitution."[50] At all events, the fall of 1932 was too late for arguments of any sort. Briggs had spoken of the "extravagant boast" of the wets that the Wright law would be repealed by a majority of from two to three hundred thousand. In the election it was defeated by an eight-hundred-thousand majority, and the second wet measure was approved by a similar margin.[51]

The momentum of the wet drive continued to increase after the repeal of the Wright law. A special election was called for June, 1933, to elect delegates to a convention which was to vote on repeal of the Eighteenth Amendment. The popular vote for delegates favoring repeal was 1,019,818 to 319,981. Two months previously, the first such state convention in Michigan had voted for repeal; and in December the thirty-sixth prorepeal state convention was held in Utah, bringing prohibition officially to an end. The drys fought desperately and to no avail to stem the torrent. The national dry leader, Clarence True Wilson, came to Los Angeles in June, 1933, to rally the faithful, warning them that the fate of America was at stake. "From Rome, from Italy and from France," he declared, "through a vast international organization the word has gone out to 'wipe out Prohibition as a means of wiping out American Protestantism.'" Such warnings availed nothing. Governor Rolph at the end of 1932 announced the pardon of a thousand imprisoned violators of prohibition laws upon certification of the state repeal vote. In the following year he granted the request of a condemned prisoner to have eight ounces of good whisky on the night before he was hanged. This act, the secretary of the Anti-Saloon League of Southern California declared, was "one of the most serious and shocking things that has ever happened in the state of California." Statements of League officials were no longer important, however. Even before the state voted for repeal, local dry ordinances

were being voted out in communities which before prohibition had been models of dry orthodoxy. Long Beach repealed its ordinance by a vote of two and a half to one a month before the state voted for repeal. With the action of the thirty-sixth state in December, 1933, repeal was a dead certainty throughout the nation. In California all preprohibition liquor regulations were washed away as well, and the liquor traffic, soon to be organized as never before, rose rapidly to a peak of rampant power unparalleled in the history of the state.[52]

Chapter XII

THE DELUGE, 1933–

The liquor traffic appears to be as unrestrained and powerful in the state today as it was in the first flush of repeal. In 1933 Superintendent Briggs supposed that "a little very watchful waiting is the most embarrassing thing the drys can do just now to the wets. It is their funeral. Let them conduct it."[1] The wets proceeded to conduct it according to a preposterous system which developed in the confused early days of repeal, and which owed its continued existence in large part to the fact that in practice it worked to the advantage of the liquor industry. According to the system, which was finally abolished by state-wide vote at the end of 1954, complete control of the liquor traffic throughout the state was vested in the State Board of Equalization. To implement the new exclusive power of the state in this field, a liquor control act was passed in 1933. This was superseded by the Alcoholic Beverage Control Act of 1935, the basic law which has since continued to regulate the liquor traffic. The remarkable feature of the system was that it placed control of the liquor traffic in the hands of the agency whose primary function was to administer the determination and collection of taxes in the state. The best interests of the board as a tax-gathering agency were naturally served by fostering the development of the eminently taxable liquor trade wherever possible, and it was a common complaint that the board again and again, with the view to increasing state taxes, forced bars and liquor stores into communities against the overwhelming opposition of local opinion.[2]

The system deprived local communities not only of the right of local option but also of the right to institute any local liquor ordinances. All regulations were set by the state and were uniformly enforced throughout the state. The ABC law, which governed the traffic, was a detailed and complex one, and it was difficult for liquor dealers to avoid committing numerous minor violations of the code in the course of their business. As the code was administered, however, according to Carey McWilliams, minor violations were generally tolerated so long as they did not work against the interests of the liquor industry, while such violations as selling liquor below the authorized price level were promptly dealt with. The Board of Equalization, overburdened with duties, was unable to police its own law thoroughly; whereas the liquor

industry was thoroughly organized and in an excellent position to see that the favorable law was implemented where it worked to the interest of the industry.[3]

The logical absurdity and practical inefficiency of the system was pointed out frequently by various groups, including occasionally members of the board itself. Almost every year after the system was devised investigating committees in and out of the legislature recommended its abandonment. In 1936 an initiative measure was placed on the ballot which would have created a three-man liquor commission to assume the liquor control duties of the board, and the board members themselves publicly announced that they were not interested in retaining control of the liquor traffic. Nevertheless, the liquor interests were successful in defeating the measure, 1,193,225 to 748,486, with the aid of the temperance men, whose local-option initiative measure on the same ballot no doubt persuaded many voters that things had best be left as they were. An attempt to abandon the system was made in the 1953 legislature, and on that occasion it was led by one of the members of the Board of Equalization. The board declared that it was not equipped to handle its diverse functions, and that in any case the contradictory nature of these functions would make their proper administration impossible. The legislature, however, failed to take action. Finally, in the fall of 1954, on the heels of a series of liquor scandals, a proposition to replace the Board of Equalization in the area of liquor control by a single director of alcoholic beverage control was placed on the ballot. The proposition was passed by a two-to-one vote.[4]

The earlier administrative system originally had not been of the liquor men's making. In 1932, with repeal suddenly in prospect, the liquor interests in California actually underplayed their hand, for perhaps the first time in the history of the state. The state liquor regulation measure, which shared the ballot with the Wright law repeal referendum, placed control of the traffic exclusively with the state, but it did not determine how the state was to administer the traffic. Further, the measure effectively guarded against the return of saloons, except wine and beer saloons, by forbidding the sale of hard liquor by the drink. Wine and beer could be sold with meals, but hard liquor could be sold only by the package in liquor stores. By 1934, however, the thunderous enthusiasm for repeal encouraged the liquor interests to submit an initiative proposal more to their liking. The 1934 measure, while ostensibly still outlawing the saloon, permitted the sale of liquor by the drink in hotels, clubs, restaurants, and other eating places. The

measure passed by a landslide vote, and again the time-honored dusty sandwiches were found sufficient to place the bar in the legal category of a restaurant.[5]

It was the 1934 initiative which vested the power of administration of the traffic in the hands of the Board of Equalization. In doing so it merely recognized the practice which had already developed in fact. Credit for the unique arrangement belong to Fred E. Stewart, a member of the board, who in 1933 persuaded the legislature that such a course would be to its advantage. Stewart pointed out that a good deal of political patronage was involved in the administration of the liquor traffic, and he made it clear that the legislature would not be overlooked in the distribution of that patronage if the powers were vested in the board. The argument was the more telling because governmental changes during the Progressive era had placed under civil service the most fruitful sources of patronage in the state. Another motive was the reluctance of the new legislature to give Governor Rolph control of such a politically promising activity.[6]

Once repeal was established, the liquor industry returned to the aggressive tactics it had employed in the old days. The *California Liberator* commented: "The liquor interests brought prohibition, and they will do it again."[7] The possibility seemed favored by the fact that the liquor interests were moving not only against the public but also against one another in the fight for a larger share of the spoils.[8] This weakness was in large part overcome in the era of repeal, however, when the liquor industry finally found its statesman in a lobbyist, Arthur H. Samish.

"Artie" Samish began his career as a lobbyist by forming the Motor Carriers' Association to represent the newly developing bus and trucking interests, and he subsequently accumulated lobbying assignments from miscellaneous and often mutually antagonistic interests, including various branches of the liquor industry. A state legislative investigation was made of Samish's activities in 1938, and the conclusion reached by the committee was: "The result of Mr. Samish's operations has been best phrased by Mr. Samish, himself. . . . 'I'm the Governor of the Legislature. To hell with the Governor of the State!' "[9] Samish's control over the legislature, the report declared, was in some cases purchased by outright payments to legislators but was more generally secured by services rendered them at elections. Samish explained that the liquor industry then had approximately fifty thousand outlets in California, that before any election he examined the field of candidates

in an effort to determine which would be favorable to the industry, and that he then circularized each outlet, requesting or ordering it to support the candidate he had selected.[10] In these activities he was financed both by California and out-of-state liquor groups. Among the contributors to his campaign, he listed the California State Brewers' Institute, United California Industries, Pabst Brewing Company, and the Wholesale Liquor Dealers Association. The brewing industry alone contributed almost one hundred thousand dollars to Samish between 1935 and 1936 for the purpose of "helping the right candidate to be elected to the legislature and other elective offices where the elective official may be important to this particular industry."[11]

Samish had apparently unlimited authority to use the "public relations funds" as he saw fit, and he did not even bother to keep memoranda of how the money was spent. With the rise of Samish there actually developed that organized "saloon power" which, in the pre-Prohibition days, had existed as hardly more than defensive leagues against the dry attacks. What might have given temperance men food for thought in this new development was the fact that Samish had in effect adapted to the needs of the liquor industry the system perfected by the Anti-Saloon League. Substituting saloons and liquor stores for churches, he had organized a Pro-Saloon League, with the same influence in elections, the same autocratic leadership, the same single-mindedness, and the same devastating effectiveness in the legislature that the Anti-Saloon League had enjoyed in prohibition days. Samish's Pro-Saloon League had the major advantage over its predecessor in that it represented vested interests as the Anti-Saloon League had not.

In 1951 Samish drew the fire of a United States Senate Investigating Committee under the chairmanship of Senator Estes Kefauver. There followed a two-year investigation by the Bureau of Internal Revenue, resulting in the conviction of Samish in 1953 on grounds of income tax fraud. It was the publicity given the Samish case as well as subsequent disclosures of minor scandals in the field of liquor distribution which created the sentiment in the state necessary to remove the direction of liquor control from the Board of Equalization to an independent agency. That is not to say, however, that the liquor interests were seriously threatened by the new developments. A generation after repeal the lasting achievement of the Anti-Saloon League appears to be merely the removal of the word "saloon" from modern usage. Public drinking now takes place in cocktail lounges, bars, cafés, and in innumerable establishments which identify themselves only by a neon martini glass above the entrance.[12]

The drys, after thirteen years of prohibition, were at first unable to realize the extent of their defeat. "As I see it," Superintendent Briggs wrote in 1934,

> the 1934 election offers two objectives either, or both, of which the State Executive may approve. We can strike for the recovery of local option. It would be rather embarrassing for the liquor forces to refuse to grant to local communities right of self-determination in the matter of beverage alcohol. If in addition there could be placed in the Capitol at Sacramento a Governor who does not patronize the liquor traffic, we would have regained a lot of ground lost in the last state election.[13]

That a dry governor would be elected became a certainty after the primaries, when lifelong drys, Upton Sinclair and Frank Merriam, won the Democratic and Republican nominations. Merriam won the election, but hardly on the basis of his dryness. The status of the temperance movement in 1934 was indicated by the popular vote on local option. A local-option initiative was placed on the ballot by the Anti-Saloon League and went down to defeat, 1,362,515 to 497,542; the wet measure effectively legalizing saloons at the same time received an overwhelming mandate. In 1936 local option was again placed on the ballot and was defeated 1,474,571 to 719,185. Subsequent efforts to create a local-option law have similarly failed, and attempts by communities to institute local option have been vigorously rejected by the Board of Equalization and the state courts.[14]

In addition to campaigning for a dry governor and a local-option law, the League contemplated further dry moves in 1933 and 1934. It hoped to extend to all holders of driver's licenses the old Railroad Rule G, which required all railroad engineers to be teetotalers. It hoped to have scientific temperance instruction stepped up in the schools, it hoped to prohibit liquor advertising on the radio, and it hoped that dry boycotts of offending newspapers would result in the refusal of newspapers to accept liquor advertisements. The League, suffering one defeat after another, gradually faded from existence. Throughout the 'thirties the *California Liberator,* while increasing in ferocity and resorting to bigger headlines, dwindled in size to a single sheet in 1941 and then passed out of existence. Started as a thoroughly practical organization, the League died for the lack of any practical objectives.[15]

The older temperance organizations had proved before that they could exist on dry fervor alone, and they proved it again with repeal. drinking now takes place in cocktail lounges, bars, cafés, and in innumerable establishments which identify themselves only by a neon made the boast that it was the oldest prohibition newspaper "this side

of the fixed stars," continued publication under the title *National Voice,* its attention absorbed by stories of the horrors of drink rather than progress of prohibition activity. The W.C.T.U. also continued to fight the liquor traffic. Activity continued in school and church work, but the old-time temperance movement appears as weak today as at any time in the history of the state, and where it exists at all it remains a positive force mainly as a weapon in the hands of the liquor industry. The industry pressed its advantage too far in the past, and it may press its advantage too far again; but while the specter of the blue-nosed dry retains the power to conjure up automatic opposition to liquor reform, the industry continues to find ample scope for its development.

NOTES

NOTES TO CHAPTER I

Gold Rush Temperance, 1849–1858

(Pages 1–22)

[1] Hubert Howe Bancroft, *History of California,* VI, 785; John Allen Krout, *The Origins of Prohibition* (New York, 1925), pp. 1–25, 303; *The Cyclopaedia of Temperance and Prohibition* (New York, 1891), p. 391.

[2] August F. Fehlandt, *A Century of Drink Reform in the United States* (New York, 1904), pp. 125–131.

[3] *Cyclopaedia of Temperance,* p. 412; Bancroft, *op. cit.,* VI, 237, 785; J. D. Borthwick, *Three Years in California* (Oakland, 1948), p. 56; Hubert Howe Bancroft, *California Inter Pocula* (San Francisco, 1888), pp. 673–674; Bayard Taylor, *Eldorado; Adventures in the Path of Empire* (New York, 1861), p. 312.

[4] J. A. Benton, *The California Pilgrim* (Sacramento, 1853), p. 136.

[5] *Ibid.,* p. 136.

[6] *Ibid.,* p. 226.

[7] Hinton R. Helper, *The Land of Gold* (Baltimore, 1855), pp. 64–65.

[8] *Daily California Chronicle,* Aug. 18, 1855.

[9] T. A. Barry and B. A. Patten, *Men and Memories of San Francisco in the Spring of '50* (San Francisco, 1873), pp. 47–49; William Taylor, *William Taylor of California* (London, 1897), p. 112; Benton, *op. cit.,* pp. 64, 65; *California Christian Advocate,* June 17, 1852; Methodist Episcopal Church, California Conference, *Minutes, 1865,* pp. 25–26.

[10] Josiah Royce, *California* . . . (New York, 1948), pp. 373, 215; Theodore H. Hittell, *History of California,* III, 171.

[11] Barry and Patten, *op. cit.,* p. 21; Bancroft, *California Inter Pocula,* p. 709.

[12] Benton, *op. cit.,* pp. 239–240.

[13] J. M. Letts, *California Illustrated* (New York, 1883), p. 131.

[14] *California Christian Advocate,* May 27, 1852; Borthwick, *op. cit.,* p. 309; *Alta California,* June 8, 1852; Hittell, *op. cit.,* III, 403; Bancroft, *History of California,* VI, 785.

[15] Borthwick, *op. cit.,* pp. 60–61.

[16] Frank Soulé *et al.* (comps.), *The Annals of San Francisco* (New York, 1854), p. 646.

[17] Borthwick, *op. cit.,* pp. 57, 58–59; Bancroft, *History of California,* VI, 57; Hittell, *op. cit.,* III, 165.

[18] Bancroft, *History of California,* III, 165; Bancroft, *California Inter Pocula,* p. 669; Borthwick, *op. cit.,* p. 58.

[19] Enos Christman, *One Man's Gold* (New York, 1930), p. 144; C. H. Campbell, *The American Barkeeper* (San Francisco, 1867), p. 28.

[20] Letts, *op. cit.,* p. 105; Hittell, *op. cit.,* III, 165; Bancroft, *California Inter Pocula,* p. 662.

[21] Anna Lee Marston (ed.), *Records of a California Family* (San Diego, 1928), p. 205.

[22] William Hanchett, Jr., "Religion and the Gold Rush, 1849–1854" (doctoral dissertation, University of California, 1952), *passim;* Albert Williams, *Pioneer Pastorate and Times* (San Francisco, 1879), p. 56; J. B. McGloin, "The Jesuit Arrival in San Francisco in 1849," *California Historical Society Quarterly,* XXIX (June, 1950), 139–147 (cited in Hanchett, p. 118); *Pacific Banner,* Dec. 11, 1852.

[23] *California Christian Advocate,* Nov. 20, 1851.

[24] Krout, *op. cit.,* pp. 300–301; Hanchett, *op. cit.,* pp. 156–157; *Pacific,* April 1, 1853, p. 2; *Alta California,* Jan. 25, 1849. The Sons of Temperance usually met in

either Baptist or Methodist churches and were addressed most frequently by ministers of these denominations. See weekly announcements of speakers in *The Pacific* and the *California Christian Advocate*. Perhaps the two most effective temperance leaders of the time were the Methodist minister M. C. Briggs and the Baptist minister O. C. Wheeler.

[25] William Taylor, *California Life Illustrated*, pp. 287–289; Hanchett, *op. cit., passim;* Royce, *op. cit.*, p. 139; Marston (ed.), *op. cit.*, p. 170; *Pacific Banner*, March 17, 1853.

[26] W. W. Ferrier, "Origin and Growth of the Protestant Church," in *Religious Progress on the Pacific Slope* (Boston, 1917), p. 57; *Alta California*, Jan. 25, 1849; Soulé *et al., op. cit.*, p. 714.

[27] Krout, *op. cit.*, pp. 182–222.

[28] *California Christian Advocate*, Oct. 10, 1851; May 13, 1852.

[29] Soulé *et al., op. cit.*, p. 714.

[30] Bancroft, *History of California*, VI, 238; Soulé *et al., op. cit.*, pp. 712–713; *Pacific*, Sept. 15, 1851.

[31] *Cyclopaedia of Temperance*, pp. 611–612.

[32] Nevada *Journal*, Aug. 26, 1853, cited in Hanchett, *op. cit.*, p. 150; John B. McGloin, *Eloquent Indian; The Life of James Bouchard, California Jesuit* (Stanford, 1949), p. 130.

[33] Krout, *op. cit.*, p. 213; Hanchett, *op. cit.*, p. 150; C. V. Anthony, *Fifty Years of Methodism* (San Francisco, 1901), p. 137; Methodist Episcopal Church, California Conference, *Minutes, 1859*, pp. 32–34. *The Pacific* contained weekly announcements of San Francisco meetings; the *Pacific Banner* set aside a column for Sons of Temperance news.

[34] *Pacific Banner*, March 17, 1853.

[35] Briggs MSS: M. C. Briggs to R. Burr, Oct. 23, 1851.

[36] Benton, *op. cit.*, pp. 136–137.

[37] Methodist Episcopal Church, California Conference, *Minutes, 1859*, pp. 32–34; see reports on temperance, 1860–1880.

[38] Ernest H. Cherrington (ed.), *Standard Encyclopedia of the Alcohol Problem* (Westerville, Ohio, 1924), II, 477.

[39] *California Christian Advocate*, Jan. 28, 1852.

[40] Soulé *et al., op. cit.*, pp. 642, 643–644.

[41] *Pacific Banner*, Oct. 30, 1852.

[42] *California Christian Advocate*, Jan. 28, 1852.

[43] *Pacific*, March 19, 1852.

[44] *California Christian Advocate*, Nov. 11, 1852.

[45] Krout, *op. cit.*, p. 210.

[46] *Pacific Banner*, Oct. 30, 1852.

[47] *Ibid.* The quotation was rendered from memory by the reporter.

[48] *Pacific*, Jan. 8, 16, 1852.

[49] *Pacific Banner*, Oct. 30, Dec. 18, 1852, March 3, 17, 1853; *California Senate Journal*, 4th sess. (1853), pp. 231–416; *Alta California*, March 2, 5, April 10, 27, 1853; *California Assembly Journal*, 4th sess. (1853), p. 401, App. 46. The mood of the assembly as a whole may be judged by a resolution that the committee to which the Maine Law bill was referred should be permitted "free use" of the Blue Wing saloons of San Francisco and Benicia on the evenings of Wednesday and Saturday (*Alta California*, March 5, 1853).

[50] *California Assembly Journal*, 5th sess. (1854), pp. 163, 183, 217, 223, 300, 338; *Alta California*, April 1, 1854; *Pacific*, May 19, 1854.

[51] Bancroft, *History of California*, VI, 740–754, 678–696; *Pacific*, Feb. 16, March 2, 9, 1855; *California Senate Journal*, 6th sess. (1855), p. 781; *Alta California*, Jan. 24, 1855.

[52] *California Assembly Journal*, 6th sess., p. 359.
[53] Sacramento *Union*, March 22, 1855.
[54] *Ibid.*, March 22, 27, 28, May 1, 3; *California Senate Journal*, 6th sess., pp. 490, 795.
[55] *Daily California Chronicle*, Sept. 5, 1855.
[56] *Ibid.*, Aug. 24, 1855; *Alta California*, Aug. 29, 1855.
[57] Winfield J. Davis (ed.), *History of Political Conventions in California, 1849–1892* (Sacramento, 1893), pp. 45–57.
[58] *Ibid.*, pp. 41, 43, 45.
[59] *Ibid.*, p. 43; *Daily California Chronicle*, Aug. 14, 17, 1855.
[60] *Ibid.*, Aug. 17, 1855.
[61] *Ibid.*, Aug. 18, 1855.
[62] Anthony, *op. cit.*, p. 37.
[63] Sacramento *Union*, Aug. 23, 1855, for the entire proceedings of the first day of the convention; *ibid.*, Aug. 24, 1855, for the second day.
[64] *Ibid.*, Aug. 24, 1855.
[65] *Ibid.*, Aug. 23, 1855.
[66] *Daily California Chronicle*, Aug. 28, 1855; *Alta California*, Aug. 23, 1855; Sacramento *Union*, Aug. 24, 1855.
[67] San Francisco *Daily News*, Aug. 24, 1855.
[68] San Francisco *Daily Herald*, Sept. 3, 1855; Davis, *op. cit.*, p. 698.
[69] Sacramento *Union*, Oct. 3, 1855.
[70] *Alta California*, Sept. 25, 1855.
[71] *Pacific*, March 5, May 14, 1857.
[72] Anthony, *op. cit.*, p. 34.
[73] Methodist Episcopal Church, California Conference, *Minutes, 1858*, p. 31.

NOTES TO CHAPTER II

Doldrums, 1859–1873

(Pages 23–38)

[1] Sons of Temperance, *Journal of the Grand Division ... State of California, for the Eighteenth Annual Session ...* (San Francisco, 1868), p. 9.
[2] *Ibid.*, p. 28.
[3] *Rescue*, October, 1865; Sept. 23, June 1, 1868; June 2, 1870.
[4] *Ibid.*, April, August, 1865.
[5] *Ibid.*, October, 1865, Aug. 22, 1866, June 1, 1870; *Our Mutual Friend*, March 7, 1868.
[6] *Rescue*, February, 1864; July 20, 1867; Dec. 15, 1870.
[7] *Ibid.*, June, 1865; June 1, 1870.
[8] *Ibid.*, Oct. 12, 1868.
[9] *Ibid.*, Dec. 1, 1870.
[10] *Ibid.*, November, 1864; March 7, 1866.
[11] Jay Monaghan, *The Great Rascal* (Boston, 1952), pp. 252–253; Sons of Temperance, *op. cit.*, p. 16.
[12] *Rescue*, June 6, 1868.
[13] Monaghan, *op. cit., passim;* San Francisco *Bulletin*, July 20, 1868.
[14] Sons of Temperance, *op. cit.*, p. 16.
[15] Sacramento *Union*, Sept. 3, 1869.
[16] *Rescue*, Sept. 8, 1869.
[17] Anthony, *Fifty Years of Methodism*, p. 94.
[18] D. O. Kelley, *History of the Diocese of California from 1849 to 1914* (San Francisco, 1861), p. 376; *Report of the Ecclesiastical Trial of the Rev. Geo. B. Taylor ...* (San Francisco, 1861), *passim.*

[19] Sons of Temperance, *op. cit.*, p. 10.

[20] *Rescue*, November, 1865.

[21] *Ibid.*, October, 1865, October, 1866; J. E. Caswell, "The Prohibition Movement in Oregon," *Oregon Historical Quarterly*, XXXIX (1938), 251.

[22] *Rescue*, March 2, 1867.

[23] Champions of the Red Cross, *Manual of Championship* . . . (San Francisco, 1876), pp. 5–6.

[24] *Rescue*, August, 1866.

[25] *Constitution and By-Laws of the Temperance Legion* . . . (San Francisco, 1867); *Rescue*, August, 1866.

[26] *Rescue*, June 15, 1870.

[27] *Ibid.*, Oct. 12, 1867; *Our Mutual Friend*, Feb. 22, April 4, 1868.

[28] McGloin, *Eloquent Indian*, pp. 126–128; *Cyclopaedia of Temperance and Prohibition*, p. 68.

[29] *Our Mutual Friend*, Feb. 22, 1868; *Woman's Journal*, June, 1878, p. 25.

[30] *Alameda County Gazette*, July 4, 1874.

[31] *Rescue*, June 15, 1867.

[32] *California Christian Advocate*, July 6, 1876.

[33] *Rescue*, February, 1865.

[34] *Constitution and By-Laws of the "Dashaway" Association* . . . (San Francisco, 1862), p. 4; McGloin, *op. cit.*, p. 128; *Alameda County Gazette*, July 4, 1874.

[35] *Rescue*, February, 1865; *Our Mutual Friend*, Feb. 29, 1868.

[36] *Rescue*, May 4, 1867, June 6, 1868; *Our Mutual Friend*, March 21, 1868; *Standard Encyclopedia of the Alcohol Problem*, II, 760; *Woman's Journal*, June, 1870, p. 25; October, 1870, p. 87.

[37] San Francisco *Chronicle*, April 16, 1884; San Francisco *Bulletin*, April 16, 1884.

[38] *Rescue*, May 4, 1867; Methodist Episcopal Church, California Conference, *Minutes, 1859*, p. 32.

[39] *Rescue*, March, 1866.

[40] Temperance Legion, *Constitution*, p. 2.

[41] *Rescue*, March 2, June 15, 1867.

[42] *Our Mutual Friend*, April 4, 1868.

[43] Methodist Episcopal Church, California Conference, *Minutes, 1859*, pp. 32–33.

[44] *Ibid., 1863*, p. 32.

[45] Congregational Church, General Association of California, *Thirteenth Annual Meeting* (1869), p. 16.

[46] *Rescue*, February, 1865.

[47] *Ibid.*, November, 1865.

[48] *Ibid.*

[49] *Our Mutual Friend*, Feb. 22, 1868.

[50] *California Christian Advocate*, March 19, Oct. 29, 1874.

[51] *Rescue*, March, 1866.

[52] *Ibid.*, March 21, 1867.

[53] Anthony, *op. cit.*, p. 363; *California Christian Advocate*, May 14, 1874; *Rescue*, April, 1865.

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(Pages 134–148)

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[12] Sacramento *Bee,* Jan. 28, 1915.
[13] Hichborn, "California Politics," III, 1542.
[14] *Ibid.,* III, 1566 n., 1605–1607.
[15] *Ibid.,* III, 1547, 1551, 1609; *Anti-Saloon League Year Book, 1919,* pp. 103–105; Hichborn MS: Letterhead of California Anti-Saloon League stationery, letter dated Aug. 22, 1918.
[16] Hichborn MSS: Franklin Hichborn to A. H. Briggs, Oct. 3, 1917; Gandier to Hichborn, Aug. 13, 1917; Hichborn to Briggs, Nov. 7, 1917; Hichborn, "California Politics," III, 1616, 1617–1618; *California Liberator,* December, 1916; Los Angeles *Times,* Aug. 21, 1919.
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[20] Hichborn MSS: Gandier to Hichborn, Aug. 25, 1917; Chairman, War Department Commission on Training Camp Activities to Hichborn, Oct. 8, 1917; Hichborn to Gandier, Dec. 12, 1918.
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[24] *Ibid.,* E. E. Grant to Hichborn, Oct. 15, 1917.
[25] *Ibid.,* Bone Dry Federation handout, undated.
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[31] Hichborn, "California Politics," III, 1646–1647.
[32] Arlett MSS: Martin Madsen to Arlett, Jan. 27, 1919; Rowell to Arlett, July 17, 1918; Rowell MSS: Rowell to Hichborn, Feb. 11, 1920.
[33] Rowell MSS: Rowell to Hiram Johnson, July 8, 1918.
[34] *Ibid.,* Johnson to Rowell, Aug. 13, 1918.
[35] Hichborn, "California Politics," III, 1628–1631, 1664–1665.
[36] *Ibid.,* III, 1642–1643.
[37] *Ibid.,* III, 1635–1645.
[38] San Francisco *Chronicle,* Jan. 11, 1919.
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[42] Los Angeles *Times,* Jan. 16, 1919. Hichborn "California Politics," III, 1670.
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[44] Arlett MSS: Rowell to Arlett, March 2, 1920.

NOTES TO CHAPTER IX

Prohibition: The Dry Campaign

(Pages 149–168)

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[2] *Ibid.*, July, 1921.

[3] Hichborn MSS: Mrs. E. V. Thompson to State Law Enforcement League, Dec. 8, 1921.

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[9] Hichborn, *California Legislature, 1921*, p. 241.

[10] Gordon A. Riegler, "The Attitudes of the People of Los Angeles Toward Prohibition from the Recommendation of the Eighteenth Amendment by Congress to the Time of Its Adoption" (unpublished master's thesis, University of Southern California, 1924), pp. 72–73; Hichborn, "California Politics," III, 1692, 1711–1712; Brown, *op. cit.*, pp. 46–47; New York *Times*, May 3, 1919; *California Liberator*, February, 1922; *Anti-Saloon League Year Book, 1921*, pp. 145–146.

[11] Hichborn, "California Politics," III, 1752.

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[18] *Ibid.*, Grant to Briggs, Oct. 15, 1921; C. J. Hall to Hichborn, Nov. 6, 1920.

[19] *Ibid.*, M. B. Harris to Grant, Oct. 12, 1921.

[20] *Ibid.*, Hichborn to Grant, Jan. 4, 1925.

[21] *California Liberator*, February, 1925; June, 1931.

[22] Hichborn MSS: Wiley J. Phillips to Grant, Sept. 22, 1921; Hichborn to Charles Randall, Sept. 9, 1921; H. Clay Needham to Hichborn, Nov. 27, 1920.

[23] Hichborn, "California Politics," III, 1907.

[24] Hichborn MSS: M. B. Harris to H. C. Jones, Oct. 6, 1921.

[25] *Ibid.*, Helen M. Stoddard to Sara J. Dorr, Jan. 12, 1921.

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[33] San Francisco *Bulletin,* July 11, 1924.
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[36] *California Liberator,* November, 1927.
[37] Rowell MSS: Rowell to Mrs. Ida H. Sorrick, April 1, 1927.
[38] *California Liberator,* April, 1922.
[39] Rowell MSS: Rowell to M. B. Harris, Oct. 6, 1921.
[40] Arlett MSS: Briggs to Arlett, May 4, 1921.
[41] San Francisco *Chronicle,* July 25, 1921.
[42] *Anti-Saloon League Year Book, 1922,* p. 144.
[43] *California Liberator,* July, 1922.
[44] San Francisco *Chronicle,* April 3, 1923.
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[53] San Francisco *Chronicle,* Feb. 20, 1926; San Francisco *Examiner,* Jan. 22, Feb. 24, 1926.
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[56] San Francisco *Chronicle,* April 1, 1927.
[57] *California Liberator,* December, 1929.
[58] Upton Sinclair, *The Wet Parade* (New York, 1931), 278.
[59] San Francisco *Chronicle,* Oct. 13, Nov. 23, 1924; New York *Times,* May 20, 1922.
[60] Oakland *Observer,* Aug. 30, 1924.
[61] Hatfield MSS: Hatfield to General Andrews, Dec. 15, 1926.
[62] *Ibid.,* Hatfield to Mabel W. Willebrandt, March 17, 1926.
[63] *Ibid.,* Dept. of Justice to Mable W. Willebrandt, April 12, 1926; Hatfield to Willebrandt, March 17, 1926; Report on Weed Raid, Feb. 15, 1926.
[64] *Ibid.,* Statement of Sam Terry to Hatfield, Nov. 17, 1925; Statement of Terry to Hatfield, Nov. 23, 1925; Coast Guard Intelligence report, San Francisco, June 20, 1928.
[65] *Ibid.,* Hatfield to Mabel W. Willebrandt, April 1, 1929.
[66] *California Liberator,* January, 1929.
[67] Los Angeles Police Department, *Public Relations Bulletin,* No. 16, Aug. 30, 1928.
[68] *California Liberator,* June, 1923.
[69] *Ibid.,* April, 1922.

NOTES TO CHAPTER X

Nullification, 1919–1930

(Pages 169–181)

[1] *California Liberator,* January, 1922.

[2] *Ibid.,* February, 1922.

[3] Riegler, "Prohibition Attitudes in Los Angeles," p. 104; *U. S. Senate Hearings Before the Subcommittee of the Committee of the Judiciary on Bills to Amend the National Prohibition Act,* 69th Cong., 2d sess., April 5–24, 1926, II, 1507. San Francisco *Chronicle,* April 6, 1927.

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[11] *Ibid.,* February, 1924.

[12] *Ibid.,* December, 1924.

[13] *Ibid.,* June, 1926.

[14] Brown, "Enforcement of Prohibition in San Francisco," p. 27.

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[16] New York *Times,* Jan. 7, 1928.

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[23] New York *Times,* July 14, 1920.

[24] *Ibid.,* March 22, 1926.

[25] *Ibid.*

[26] Woon, *op. cit.,* p. 99.

[27] New York *Times,* Nov. 27, 1932.

[28] *Home Alliance,* April 7, Dec. 15, 1927; Jan. 12, 26, 1928.

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[30] New York *Times,* June 13, 1926; Charles Merz, *The Dry Decade* (Garden City, N.Y., 1930), p. 53.

[31] Volstead Act, final clause, sec. 29, title II.

[32] *Report on Enforcement of Prohibition,* 71st Cong., 3d sess., House Doc. 722 (1931), pp. 32–33.

[33] *California Liberator,* June, 1931.

[34] New York *Times,* April 28, 1929.

[35] Brown, *op. cit.,* p. 45.

[36] Virginius Dabney, *Dry Messiah: The Life of Bishop Cannon* (New York, 1949), p. 304.

[37] Hichborn MSS: Typed copy of Buffalo *Times,* Dec. 15, 1930.

[38] *California Liberator,* April, 1932.
[39] *Ibid.,* September, 1929; January, 1932.
[40] S. W. Shear and H. F. Gould, *Economic Status of the Grape Industry* (Berkeley, 1927) California Agricultural Experiment Station, Bulletin 429, pp. 7, 106–107; Lester D. Mallory, S. R. Smith, and S. W. Shear, "Factors Affecting Annual Prices of California Fresh Grapes, 1921–1929," *Hilgardia,* VI, No. 4 (September, 1931), pp. 101–130; S. W. Shear, "The California Grape Control Program," *Hilgardia,* VI, No. 4 (September, 1931), pp. 230–231.

CHAPTER XI

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(Pages 182–198)

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[2] Rowell MSS: Martin Madsen to Chester Rowell, undated.
[3] Hichborn MSS: William Stayton form letter, Feb. 28, 1922; San Francisco *Bulletin,* Jan. 23, 1924.
[4] Hichborn MSS, Prohibition file: W. H. Metson to Frank Trower, Feb. 25, 1924.
[5] *California Minute Man,* January, 1928.
[6] *California Liberator,* February, 1928.
[7] Hichborn MSS, Prohibition file: Wright Act Repeal Association stationery, dated Oct. 2, 1926; Interview with Robert Kenny.
[8] Hichborn MSS, Prohibition file, W. H. Metson to Frank Trower, Feb. 25, 1924.
[9] *Minute Man* January, 1928.
[10] *Ibid.,* as quoted in *California Liberator,* October, 1927.
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[12] Hichborn, "California Politics," IV, 2332.
[13] *Midweek,* Nov. 15, 1933.
[14] *California Liberator,* March, December, 1922, December, 1924; Hichborn, "California Politics," IV, 2355.
[15] 71st Cong., 3d sess., Sen. Doc. 307, *Official Records of the National Commission on Law Observance and Enforcement* (Washington, 1931), V, 647–648.
[16] *California Liberator,* June–July, 1930; Hichborn, "California Politics," IV, 2581.
[17] *California Liberator,* May, June–July, 1930.
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[22] Hichborn, "California Politics," IV, 2588–2589.
[23] *California Liberator,* September, 1930.
[24] Hichborn, "California Politics," III, 1950.
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[28] *Ibid.,* Briggs, circular letter to pastors, July 3, 1930.
[29] *Anti-Saloon League Year Book, 1929,* p. 90.
[30] *California Liberator,* March, 1930.
[31] *Ibid.,* September, 1927, December, 1929, October, 1931; Hichborn MSS, Prohibition file: Wright Act Repeal Association stationery, dated Oct. 2, 1926.

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[33] Leslie Gordon (ed.), *The New Crusade* (Cleveland, 1932), *passim*.
[34] Interview with Robert Kenny.
[35] Gordon (ed.), *op. cit.*, p. xxxv.
[36] *California Liberator*, March, 1932.
[37] Haynes MSS: Briggs to Haynes, Jan. 13, 1931.
[38] *California Liberator*, September, 1931.
[39] *Ibid.*, June, 1931.
[40] Hichborn MSS: Daniel Poling to Briggs, July 30, 1931; Poling to H. H. Griffis, July 27, 1931.
[41] *California Liberator*, October, 1931; April, 1932.
[42] Haynes MSS, Anti-Saloon League: Briggs to Haynes, Aug. 16, 1932.
[43] Haynes MSS: S. T. Montgomery to Haynes, June 11, 1931; S. T. Montgomery to Marshall Stimson, June 23, 1931; Briggs to Haynes, December, 1932.
[44] Hichborn MSS: H. C. Jones to T. M. Wright, April 8, 1933.
[45] Haynes MSS: Anti-Saloon League: Briggs circular letter, Aug. 25, 1933.
[46] *California Liberator*, March, 1932.
[47] Hichborn, "California Politics," V, 2686, 2670.
[48] *Ibid.*, V, 2667–2668.
[49] *California Liberator*, April, 1932.
[50] *Midweek*, Nov. 15, 1933.
[51] *Anti-Saloon League Year Book, 1932–1933*, p. 50.
[52] Hichborn, "California Politics," V, 2670–2671.

NOTES TO CHAPTER XII

The Deluge, 1933—

(Pages 199–204)

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[3] Carey McWilliams, *California, the Great Exception* (New York, 1949), p. 205.
[4] Baccari, *op. cit.*, p. 39; San Francisco *Chronicle*, Jan. 11, 1953; Nov. 3, 4, 1954.
[5] *Anti-Saloon League Year Book, 1932–1933*, p. 50; Hichborn, "California Politics," V, 2670–2671.
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[10] *Ibid.*, V, 5.
[11] *Ibid.*, IV, 12–23.
[12] San Francisco *Chronicle*, March 3, 4, 1951; Nov. 18, 1953.
[13] Haynes MSS: Briggs to J. R. Haynes, Aug. 16, 1953.
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